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Crl.O.P.No.33100 of 202



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-12-2025

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.33100 of 2025

Antony Victor Noyal

... Petitioner/ Accused

Vs

The State rep. by,
The Inspector of Police,
Dharapuram All Women Police Station East,
Tiruppur District.
(Crime No.23 of 2024)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioner/accused in Spl.S.C.No.23 of 2025 on the file of the Hon'ble Sessions Judge, Magalir Neethi Mandram (Fast Track Mahila Court), Tiruppur.

For Petitioner(s) : Mr. T. Shanmugaboopathi

For Respondent(s) : Mr. A. Gopinath
Government Advocate (Crl. Side)



ORDER

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The petitioner, who was arrested and remanded to judicial custody on 24.11.2024 for the offences punishable under Sections 5(l), 5(n), 6(l), (5m), 9(m), 9(n), 9(l) r/w. 10 of POCSO Act, 2012, Section 351(2), 65(2) of BNS and 376AB of IPC in Spl.S.C.No.23 of 2025 on the file of the Hon'ble Sessions Judge, Magalir Neethi Mandram (Fast Track Mahila Court), Tiruppur, seeks bail. This is the third bail application of the petitioner and the earlier bail applications of the petitioner were dismissed by this Court, vide orders dated 07.02.2025 and 26.03.2025 in Crl.O.P.Nos.3161 and 8927 of 2025, respectively.

2. The allegation against the petitioner herein is that, the petitioner is the biological father of the victim, who is aged about 12 years and had continuously committed penetrative sexual assault on her. Hence, this case.

3. The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated in this case and he is in custody since 24.11.2024; that after the dismissal of the earlier bail applications of the petitioner, the investigation of the case was completed and final report filed; and that the petitioner is ready to abide by any condition that may be imposed by this Court and sought for bail to the petitioner.



4. The learned Government Advocate (Crl. Side) appearing for the respondent submitted that the investigation of the case was completed and the final report filed in Spl.S.C.No.23 of 2025 on the file of the Hon'ble Sessions Judge, Magalir Neethi Mandram (Fast Track Mahila Court), Tiruppur and the case is posted for framing of charges.

5. I have considered the submissions made on both sides and perused the materials available on record. The statement of the victim girl reveals disturbing facts against the petitioner herein and it reveals that the petitioner had continuously committed penetrative sexual assault on the victim girl. Though, the learned counsel appearing for the petitioner submitted that the final report has been filed in this case, it cannot be considered as a change in circumstances and the earlier bail application of the petitioner in Crl.O.P.No.3161 of 2025 was dismissed by this Court observing the following reasons:

“6. Taking into consideration the facts and circumstances of the case, the submissions made by the learned Counsel on either side and also considering the gravity of the offence committed by the petitioner, this Court is not inclined to grant bail to the petitioner at this stage.”

K. RAJASEKAR, J.

stn



6. Considering the above facts, the gravity of offence and if the petitioner is enlarged on bail, there is a possibility of threatening the witnesses and hampering the trial process, hence this Court is not inclined to grant bail to the petitioner.

7. Accordingly, this criminal original petition stands dismissed.

10.12.2025

stn

To

1. The Inspector of Police,
Dharapuram All Women Police Station East,
Tiruppur District.
(Crime No.23 of 2024)
2. The Public Prosecutor,
High Court of Madras.

Crl.O.P. No.33100 of 2025