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Crl.OP.No.31812 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.11.2025

CORAM:

THE HONOURABLE Mr. JUSTICE K. RAJASEKAR

Crl.O.P.Nos.31812 of 2025

Abhay Kumar Mishra

... Petitioner

Vs.

State of Tamilnadu,
The Inspector of Police,
All Women Police Station,
KVR Nagar, Tiruppur District.
Cr.No.16 of 2025

... Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail concerned in Spl.SC.No.172 of 2025 pending trial on the file of the learned Sessions Judge, Magalir Neethimandram, Fast Track Mahila Court, Tiruppur.

For Petitioner : Mr.M.N.Balakrishnan

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

ORDER

The petitioner who was arrested and remanded to judicial custody on 06.07.2025 for an offences punishable under Sections 5(1), 5(n) r/w 6 of POCSO Act, 2012 in Spl.SC.No.172 of 2025 on the file of the learned Sessions Judge, Magalir Neethimandram(Fast Track Mahila Court), Tiruppur in connection with Crime No.16 of 2025 on the file of the

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respondent police seeks bail.

2. The allegation against the petitioner is that he is the stepfather of the victim girl, aged about 17 years, and that, taking advantage of this relationship, he threatened the victim girl and committed aggravated sexual assault on her. Subsequently, on 05.03.2025, the petitioner also attacked the victim with an aruval. Hence, a complaint was lodged. The victim narrated all the facts to the Child Welfare Committee and thereafter the case was registered.

3. The learned counsel for the petitioner submitted that the petitioner has been in custody from 06.07.2025 and that the investigation in this case has been concluded and the final report has also been filed. He further submitted that the petitioner is ready to abide by any conditions that may be imposed by this Court. Hence, he seeks grant of bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that the petitioner, taking advantage of the loneliness of the victim girl, committed aggravated penetrative sexual assault on her repeatedly and also threatened the family members, due to which they did not come forward to lodge the complaint earlier. He further submitted that though the FIR was registered in the month of March 2025, since the petitioner is a native of Bihar, he was



arrested only recently. He contended that if the petitioner is released on bail, there is a possibility of his absconding and a likelihood of his threatening the witnesses. Hence, he vehemently opposed the grant of bail to the petitioner.

5. I have heard both sides and perused the materials available on record.

6. I have also gone through the statement recorded from the victim girl, which reveals the facts, particularly the manner in which the victim girl was subjected to sexual assault.

7. Considering the above facts and the nature and gravity of the offence, I am not inclined to grant bail to the petitioner

8. Accordingly, this Criminal Original Petition is dismissed.

24.11.2025

Vv

To

1.The *Sessions Judge, Magalir Neethimandram*

2.The Inspector of Police,
All Women Police Station,
KVR Nagar, Tiruppur District.

3.The Public Prosecutor, High Court, Madras.

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K. RAJASEKAR,J.

Vv

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