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Crl.O.P.No.32876 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.12.2025

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.32876 of 2025

Dinesh

... Petitioner

-Vs-

State Rep by,
The Inspector of Police,
AWPS Mamallapuram Police Station,
Chengalpattu.
(Crime No.23 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS Act, 2023,
pleaded to enlarge the petitioner on bail in Crime No.23 of 2025 pending on the
file of the respondent police.

For Petitioner : Mr.M.Mohanasundram

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on



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21.09.2025, for the alleged offence punishable under Sections 87 and 127(2) of

BNS Act and Section 5(1), 5(g), 5(j)(ii), 6(1) of POCSO Act, 2012 in Crime

No.23 of 2025, on the file of the respondent police, seeks bail.



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2. The allegation against the petitioner is that the petitioner joined hands with other accused developed a relationship with the victims/sisters aged 14 and 13 years respectively through Instagram. It is alleged that the petitioner forced them to accompany him, took them to a lonely place and committed aggravated penetrative sexual assault. The petitioner committed assault again and again and unable to bear the sexual assault, the victims reported the same to the family members. Hence, the complaint was lodged and the petitioner was arrested and is in judicial custody.

3. Learned counsel appearing for the petitioner submitted that the petitioner, aged 22 years, is an innocent person and has been falsely implicated in this case. He further submitted that the petitioner is in judicial custody since 21.09.2025 and that the victims are secured. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that it is a case of gang rape and both the accused committed rape on both victims. Since the two victims are



involved in this case, he opposed to grant bail to the petitioner.

5. Heard both sides and perused the materials available on record

including the First Information Report.

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6. Considering the submissions made by the learned counsel on both sides and on perusal of the victim statement, it is seen that is a case of gang rape, therefore, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, this Criminal Original Petition is dismissed.

01.12.2025

drl

To

1.The Inspector of Police,
AWPS Mamallapuram Police Station,
Chengalpattu.

2.The Public Prosecutor,
High Court, Madras.



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K. RAJASEKAR, J.

drl

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