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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **05.12.2025**

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.33410 of 2025

Moorthi

... Petitioner

-Vs-

State Rep by,
The Inspector of Police,
All Women Police Station,
Vaniyambadi, Tirupathur District.
(Crime No.19 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS Act, 2023,
pleased to enlarge the petitioner on bail in Crime No.19 of 2025 on the file of
the respondent police.

For Petitioner : Mr.G.Vinodh Kumar

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 24.07.2025, for the offence punishable under Sections 5(j)(ii), 5(k), 5(l), 5(n) r/w Section 6 of the POCSO Act and Section 64(2) and 351(3) of BNS in Crime No. 19 of 2025, registered on the file of the respondent, seek bail.



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2. The allegation against the petitioner is that he is the step father of the victim, who is aged 13 years and she is a special child. Taking advantage of the age and guardianship, the petitioner has committed aggravated penetrative sexual assault of the victim girl. She was able to convey the same to her school teacher, and it was reported to various authorities. Hence, a case was registered and the petitioner was arrested.

3. Learned counsel appearing for the petitioner submitted that the petitioner was arrested in the month of July 2025 and he is in judicial custody for more than five months. He further submitted that in this case investigation is completed and the final report was also filed. Hence, he prayed to grant bail to the petitioner.

4. Learned Government Advocate (Crl. Side) reiterated the prosecution case and submitted that the investigation is completed and the final report was filed. However, he contended that the present case pertains to continuous penetrative sexual assault on 13 years old victim girl. He further submitted that if the petitioner is released on bail, there is a likelihood of his influencing or intimidating the witnesses and hampering the trial process. Hence, he opposed the grant of bail to the petitioner.



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

including the First Information Report.

6. This Court has also gone through the statement of the victim girl, which reveals various disturbing facts. Though it is stated that the final report has been filed in this case, if the petitioner is released on bail, there is a likelihood of tampering with the witnesses and further stalling the trial process. Therefore, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the Criminal Original Petition is dismissed.

05.12.2025

drl

To

1. The Inspector of Police,
All Women Police Station,
Vaniyambadi, Tirupathur District.

2. The Public Prosecutor,
High Court, Madras.



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K. RAJASEKAR, J.

drl

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