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Crl.O.P.No.34592 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-12-2025

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.34592 of 2025

Gajendran

... Petitioner/ Accused

Vs

The State rep. by,
The Inspector of Police,
Melpatti Police Station,
Melpatti, Vellore District.
(Crime No.118 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioner/accused in Crime No.118 of 2025 on the file of the respondent police.

For Petitioner(s) : Mr. G. Vinodh Kumar

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 06.09.2025 for the offences punishable under Sections 65(2)(m), 65(1), 351(2) of BNS and Section 5(i), 5(j)(ii) r/w 6(1) of POCSO Act, 2012 in Crime No.118 of 2025 registered on the file of the respondent police, seeks bail. The earlier bail application of the petitioner was dismissed by this Court, vide order dated 29.10.2025 in Crl.O.P.No.29458 of 2025.

2. The case of the prosecution is that, the petitioner herein is running a petty shop in the village, where the victim girl aged about 15 years is residing; that on 17.02.2025, the petitioner herein had committed aggravated penetrative sexual assault on the victim girl, who came to his shop and threatened her not to disclose the same to any one; that thereafter on 06.09.2025, while the defacto complainant, who is the mother of the victim child taken her to Gudiyatham Government Hospital and there she came to know that the victim girl was 8 months pregnant; that thereafter, the defacto complainant lodged a complaint before the respondent police; that upon investigation and the statement of the victim girl, the petitioner herein was arrested. 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 judicial custody



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since 06.09.2025; and that the petitioner is ready to abide by any condition that may be imposed by this Court, hence prays to grant bail to the petitioner.

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4. The learned Government Advocate (Crl. Side) appearing for the respondent while opposing the bail to the petitioner reiterated the prosecution case and submitted that the victim child had delivered a male child and the DNA Test report is yet to be received; that the investigation of this case was completed and the final report is filed, which is yet to be taken on file.

5. Though it is stated that the final report of this case is filed, considering the fact that the petitioner herein is alleged to have committed penetrative sexual assault on the victim girl, thereby she gave birth to a child and also the fact that the DNA test report is yet to be received, this Court is not inclined to grant bail to the petitioner at this stage.

6. Accordingly, this criminal original petition stands dismissed.

17.12.2025

stn

K. RAJASEKAR, J.

stn



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1. The Inspector of Police,
Melpatti Police Station,
Melpatti, Vellore District.
(Crime No.118 of 2025)

2. The Public Prosecutor,
High Court of Madras.

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