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Crl.O.P.No.34578 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-12-2025

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.34578 of 2025

Abdul Sathar Ansari

... Petitioner/ Accused

Vs

The State of Tamil Nadu rep. by,
The Inspector of Police,
All Women Police Station,
Tambaram.
(Crime No.7 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 Spl.S.C.No.283 of 2025 pending on the file of the learned Sessions Judge, Special Court for the exclusive Trial of Cases under POCSO Act, Chengalpattu.

For Petitioner(s) : Mr. B. Balavijayan

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 19.08.2025 for the offences punishable under Sections 5(l), 5(n), 5(j)(ii), 6(1), 3(a), 4(2) of POCSO Act and 126(2), 64(2)(m), 65(1), 238, 248, 351(3) of BNS in Spl.S.C.No.283 of 2025 pending on the file of the learned Sessions Judge, Special Court for the exclusive Trial of Cases under POCSO Act, Chengalpattu, seeks bail.

2. The case of the prosecution is that, initially the complaint was lodged by the petitioner herein, who is the father of the victim girl aged about 14 years by stating that, the victim girl has become pregnant and she was not aware about the person responsible for her pregnancy; that upon investigation by the respondent police and the statement recorded from the victim girl, it is revealed that the petitioner herein had sexually abused the victim girl, committed penetrative sexual assault on her and further threatened her of dire consequences, if she reveal the same to any one; that subsequently, the respondent police altered the sections, arrested the petitioner herein; that thereafter, the final report also filed in Spl.S.C.No.283 of 2025; and that the DNA test report also discloses that the petitioner herein is the biological father of the victim's fetus. 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 since 19.08.2025; 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.

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 petitioner herein is the father of the victim girl, who committed aggravated penetrative sexual assault on her; thereby she became pregnant; that the DNA Test report also reveals that the petitioner herein is responsible for the victim's pregnancy; that the investigation of this case was completed and final report filed and the case is posted for furnishing of copies.

5. Considering the submissions made on both sides, grave nature of offence, taking note of the fact that the petitioner herein is the father of the victim child and if the petitioner is enlarged on bail, there is a possibility of threatening the victim and also hampering the trial process, hence this Court is not inclined to grant bail to the petitioner.

K. RAJASEKAR, J.

stn



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6. Accordingly, this criminal original petition stands dismissed.

17.12.2025

stn

To

1. The Sessions Judge, Special Court for the Exclusive Trial of Cases under POCSO Act, Chengalpattu.
2. The Inspector of Police,
All Women Police Station,
Tambaram.
(Crime No.7 of 2025)
3. The Public Prosecutor,
High Court of Madras.

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