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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-01-2026

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 424 of 2026

Periyasamy

Petitioner

Vs

The State Rep.by,
The Inspector of Police,
All Women Police Station, Central
Coimbatore City, Coimbatore District.
Cr.No.6/2023.

Respondent

PRAYERCriminal Original Petition filed under Section 483 of BNSS, 2023, to enlarge the petitioner on bail in Crime No.6 of 2023 on the file of the respondent police.

For Petitioners : Mr. M.Rajasekaran

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 20.11.2025 for the offences punishable under Sections 366, 344, 376(3) of IPC and Sections 5(1) r/w 6, 16, 17 of POCSO Act, 2012 and Sections 9 and 10 of Prohibition of Child Marriage Act, 2006 in Crime No.6 of 2023, registered on



the file of the respondent police, seeks bail.

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2. The allegation against the petitioner is that petitioner was earlier arrested and released on bail for offences punishable under Sections 366, 344, 376(3) of IPC and Sections 5(1) r/w 6, 16, 17 of POCSO Act, 2012 and Sections 9 and 10 of Prohibition of Child Marriage Act, 2006 and he was earlier appeared regularly and later absconded on 31.12.2024 and NBW was issued against the petitioner and the same was executed on 20.11.2025.

3. Learned counsel for the petitioner submitted that the petitioner herein is in custody from 20.11.2025 and he has not committed any offence of rape and it is alleged that the petitioner has abetted the rape and he further submitted that LW1 to LW3 were already examined and he is participating in the trial process and he is ready to abide by any condition imposed by this court and he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent reiterated the prosecution case and submitted that the petitioner has



absconded for nearly one year and now the trial process is going on in this case.

Hence, he opposes to grant 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. Considering the submissions made on either side and that the petitioner has absconded for nearly one year and the victim herself is delaying the trial which is of the year 2023 and the trial is now going on and hence this Court is not inclined to grant bail to the petitioner at this stage.

7. Accordingly, this Criminal Original Petition is dismissed.

09-01-2026

Note:

1. Registry is directed to forthwith upload this order in the Official Website of this Court.

2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.



To

1. The Inspector of Police,
All Women Police Station, Central
Coimbatore City, Coimbatore District.
Cr.No.6/2023.

2. The Public Prosecutor,
High Court, Madras.



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K.RAJASEKAR.,J
gv

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