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Crl.O.P.No.1535 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **27.01.2026**

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP No.1535 of 2025

Sakthivel

... Petitioner

Vs

The Inspector of Police,
All Women Police Station,
Tirupattur,
Tirupattur District
(Crime No.41 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.41 of 2025 on the file of the respondent police

For Petitioner(s) : Mr. E. Kannadasan

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on
15.12.2025, for the offences punishable under Sections 5(1), 5(j)(ii) r/w
Section 6 of POCSO Act 64(2)(m) 65(1), 351(2) of BNS 2023 in Crime
No.41 of 2025, registered on the file of the respondent, seeks bail.



2.The case of the prosecution is that the petitioner has committed aggravate penetrative sexual assault continuously on the victim girl aged about 15 years. As a result of which the victim girl became pregnant and fetus was also aborted. Hence, this case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. He further submitted that the victim girl did not disclose the name of the person who allegedly committed the penetrative sexual assault either before the Medical Officer who conducted the medical examination or before the investigating officer. He further submitted that the petitioner is ready to abide by any conditions that may be imposed by this Court and sought for bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent while opposing the bail to the petitioner, reiterated the prosecution case and states that due to the aggravated penetrative sexual assault made by the petitioner against the victim girl fetus was formed and aborted and that the investigation is pending. Hence opposed to grant bail to the petitioner



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5. Heard the learned counsels and perused the materials available on record including the statement recorded from the victim girl under Section 183 of the BNSS.

6. Considering the facts of the case and the statement recorded from the victim girl which reveals that the manner in which the occurrence has taken place and it is a case of aggravated penetrative sexual assault, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, this criminal original petition stands dismissed.

27.01.2026

smn

To

1.
The Inspector of Police,
All Women Police Station,
Tirupattur, Tirupattur District

2. The Public Prosecutor,
High Court, Madras

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K. RAJASEKAR, J.

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