



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-02-2026

CORAM

THE HON'BLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 2327 of 2026

Irfan

S/o. Rizwan,

Gafoorabad, Vaniyambadi Taluk,

Tirupathur District.

..Petitioner(s)

Vs

State rep by

the Inspector of Police,

Vaniyambadi All Women Police Station,

Vaniyambadi, Tirupathur District.

Crime No.02 of 2026

..Respondent(s)

Prayer: This petition is filed under Section 483 of BNSS to enlarge the petitioner on bail pending investigation in Crime No.02 of 2026 on file of the Inspector of Police, Vaniyambadi All Women Police Station, Vaniyambadi, Tirupathur District and thus render justice.



For Petitioner(s): M/S.G.Vinodhkumar
S.Suresh-MS/1372/2004
J.Sampath
P.Pothraj
S.Lal Devasagayam
U.Vignesh

For Respondent(s): Mr.A. Gopinath, Govt Advocate (Crl side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 03.01.2026 for the offence under Section 64(1), 96, 49 of BNS & 3(a), 4 of POCSO Act, 2012 in Crime No.02 of 2026 registered on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner kidnapped the victim girl aged about 14 years and taken her to Elagiri and booked a room in a hotel and committed aggravated penetrative sexual assault. Hence the father of the victim girl has registered a case against the petitioner.



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3.The learned counsel appearing for the petitioner submitted that the petitioner has not kidnapped the victim girl and he has not committed sexual assault on the victim her and it is alleged upon the instructions of the mother of the victim girl, the petitioner has given shelter to the victim girl. He further submitted that the petitioner is in judicial custody from 03.01.2026 and is ready to co-operate with the investigation. Hence, prays to grant 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 submitted that it is a case of aggravated penetrative sexual assault and investigation in this case is not yet completed and statement was not recorded from the victim girl. He further submitted that the age of the petitioner is 31 years and the age of the victim is 14 years. Hence, opposed to grant bail to the petitioner.

5. Considering the submissions made by the learned counsel appearing on either side, nature of offence; the manner in which the occurrence has taken place; it is a case of aggravated penetrative sexual assault and considering the age of the victim and the petitioner and investigation in this case is not yet completed, this Court is not inclined to grant bail to the petitioner.



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6. Accordingly, this criminal original petition stands dismissed.

03-02-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

SMN

To.

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

2. The Public Prosecutor, High Court, Madras



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K.RAJASEKAR, J.

smn

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