



WEB COPY



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **09.02.2026**

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.2906 of 2026

Ajith

... Petitioner

-VS-

State Rep by,
The Inspector of Police,
AWPS Thirukoilur Police Station,
Kallakurichi District.
(Crime No.119 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS, 2023, to enlarge the petitioner on bail in Crime No.119 of 2025 on the file of the respondent police.

For Petitioner : Mr.E.Gopalakrishnan

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 14.11.2025 for the offences punishable under Sections 92(d) of RPD Act 2016 and 329(4), 351(2), 64(2)(k) of BNS, in Crime No.119 of 2025, registered on the file of the respondent police, seeks bail.



2. The allegation of the petitioner is that he is aged about 28 years and that, while the family members of the victim had gone out to attend a condolence, the victim was alone at home. It is alleged that the victim is suffering from locomotor disability in her leg and is not able to move independently. Taking advantage of her condition, the petitioner is alleged to have forcibly committed rape on her. Hence, a case has been registered and the petitioner was arrested.

3. The learned counsel appearing for the petitioner submitted that the FIR was lodged with a delay of three months and that the petitioner is in judicial custody since 14.11.2025. He further submitted that the petitioner is ready to co-operate with the investigation. Hence, he prays to grant bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent reiterated the prosecution case and submitted that there was no delay in lodging the FIR and that the investigation is still pending. Hence, he opposed to grant bail to the petitioner.

5. Admittedly, the victim girl is a person with locomotor disability and is not able to move independently and taking advantage of her situation, the petitioner after consuming liquor, committed rape on her.



6. Considering the above facts and circumstances of the case, the nature of the allegations and that the investigation is still pending, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, this Criminal Original Petition is dismissed.

09.02.2026

drl

To

1.The Inspector of Police,
AWPS Thirukoilur Police Station,
Kallakurichi District.

2.The Public Prosecutor,
High Court, Madras.



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K. RAJASEKAR, J.

drl

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