



WEB COPY



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.02.2026

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.4697 of 2026

Duraiyan

... Petitioner

-VS-

State rep.by
Inspector of Police
All Woman Police Station, Dharapuram
Tiruppur District.
(Crime No.22 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS, to enlarge the petitioner on Bail in Crime No.22 of 2025 on the file of the Respondent Police, pending investigation.

For Petitioner : Mr.N.Ponraj

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 01.07.2025 for the alleged offence punishable under Sections 5(1), 5(k) r/w 6 of POCSO Act, 2012 and 351(2) of BNS, in Crime No.22 of 2025 on the file of Respondent Police, registered on the file of the respondent police, seeks bail.



2. The allegation against the petitioner is that he is a neighbour of the victim girl aged about 16 years and taking advantage of the loneliness, he committed aggravated penetrative sexual assault repeatedly in different occasions, which resulted pregnancy. Hence, the said assault was intimated to the family members and a case was registered against the petitioner for the said offences.

3. The learned counsel for the petitioner submitted that the petitioner is in incarceration for more than 170 days and now the investigation is also concluded and final report has also been filed and the case is posted for trial and he is ready to co-operate for the further investigation. He further submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) reiterated the prosecution case and submitted that taking advantage of the loneliness of the victim girl, he committed aggravated penetrative sexual assault repeatedly on different occasions, which resulted in her pregnancy and final report is filed and if he is released on bail, he would not indulge in tampering with the witness and there is likelihood of prejudice to the interest of the victim in this



case. He also produced a copy of the statement recorded from the victim girl by the learned Magistrate. Hence, he opposed for grant of bail to the petitioner.

5. Considering the gravity of the offence alleged on the victim, on whom he had committed aggravated penetrative sexual assault, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this criminal original petition is dismissed.

26.02.2026

nvi

To

1. The Inspector of Police
All Woman Police Station, Dharapuram
Tiruppur District.
2. The Public Prosecutor,
High Court, Madras.



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K. RAJASEKAR, J.

nvi

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