



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 02-03-2026**

CORAM

**THE HON'BLE MR.JUSTICE C.KUMARAPPAN**

**CRL OP No. 3822 of 2026**

**and**

**CRL MP No. 3582 of 2026**

Mohamed Niyaz

..Petitioner

Vs

State Rep.by,  
The Inspector of Police,  
SRMC All Women Police Station,  
Avadi,  
Crime No.21/2025.

..Respondent

Prayer: Criminal Original Petition filed under section 482 of BNSS to enlarge the Petitioner on bail in the event of his arrest in the Crime No. 21 of 2025, on the file of the Inspector of Police, SRMC All Women Police Station, Avadi

For Petitioner: Mr.S Thiruvengadam

For Respondent: Mr.P.Dhileepan  
Government Advocate (Crl.Side)

For Intervenor: Mr.H.Syed Alim



## **ORDER**

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The petitioner, who apprehends arrest for the alleged offence under Sections 296, 75(2), 351(2) of BNS, Section 5(l) r/w. 6(l), 11(iv)(v) r/w 12 of POCSO Act 2012, Section 67B of the Information Technology Act, 2000 and Section 4 of the TN Prohibition of Harassment of Women Act, 2002.

2. The learned counsel for the petitioner submitted that the victim and the petitioner are classmates and they are very good friends and had very good relationship. Since the victim's parent did not like her friendship with the petitioner, they had instigated the victim to give such false complaint and based upon the false complaint, now the accused had been charged with POCSO Act offences.

3. The learned counsel for the petitioner would impress upon this Court by showing so many photographs, where, the petitioner and the victim appeared to be friendly. It is his submission that it is only a Romeo relationship and not any deliberate sexual assault on the victim and it is the further submission of the learned counsel that the petitioner being a medical student if he is arrested then his entire education would be spoiled and hence prayed to grant anticipatory bail to the petitioner.



4. The contention of the learned counsel for the petitioner was totally objected by the learned Government Advocate (Crl.Side) and he would submit that apart from giving complaint by the victim's mother, the victim herself has given statement before the Judicial Magistrate, Uthiramerur, Kancheepuram under Section 183(5) of BNSS and in that statement she has narrated all the sufferings and misdeed committed by the petitioner and that the offence committed by the petitioner is aggravated in nature. Therefore the petitioner is not eligible and not entitled for any anticipatory bail.

5. The learned counsel for the intervener reiterated the contention made by the learned Government Advocate (Crl.Side).

6. I have given my anxious consideration to either side submissions. Though the petitioner counsel would submit that what was between the petitioner and the victim is only the true friendship, and that, such friendship was not liked by the victims father. But such story cannot be gone into at the bail stage. But while looking at the statement made by the victim before the criminal Court under section 183(5) of BNSS, there are *prima facie* materials against this petitioner to charge him under the relevant sections. Therefore, this Court do not find any merits in the present application.



7. In the result, this Criminal Original Petition is dismissed.

Consequently, connected miscellaneous petition is closed.

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**02-03-2026**

SHL

To

1. The Principal District and Sessions Judge,  
(Special Court for the Exclusive trial of cases under POCSO Act,  
Kancheepuram.

2. The Inspector of Police,  
SRMC All Women Police Station,  
Avadi.

3. The Public Prosecutor  
High Court of Madras.



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**C.KUMARAPPAN J.**

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