



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No.4145 of 2026

Karthick

..Petitioner(s)

Vs

The State Rep. by the Inspector of Police,
AWPS-Pallavaram Police Station,
Chennai District.
(Crime No.17 of 2025)

..Respondent(s)

Prayer: Criminal Original Petition filed under Section 483 of BNSS, 2023, to enlarge the petitioner on bail in connection with Spl.S.C.No.186 of 2025 in Crime No.17 of 2025 on the file of the Special Court of Exclusive Trial of Cases under POCSO Act, Chengalpattu District.

For Petitioner(s):

Mr.D.Padmanabhan

For Respondent(s):

Mr.S.Vinoth Kumar
Government Advocate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 01.07.2025 for the alleged offences under Sections 5(l), 5(g), 5(j)(ii) and 6(l) of POCSO Act, 2012 and Section 67B of Information Technology Act, in Crime No.17 of 2025, on the file of the respondent police, seeks bail.



2. It is the case of the prosecution that the petitioner is the friend of the defacto complainant. It is alleged that the petitioner, along with the other accused, entered into the house of the defacto complainant and committed penetrative sexual assault on her, amounting to gang rape, due to which she was admitted in the hospital. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. He would further submit that the similarly placed co-accused were granted bail by this Court in Crl.O.P.No.32742 of 2025 and Crl.O.P.No.15200 of 2025. He would further submit that the petitioner is ready to abide by any stringent condition that may be imposed by this Court and seeks for bail.

4. The learned Government Advocate (Criminal side) appearing for the respondent police reiterated the prosecution case and would submit that it is a case of gang rape and the age of the victim girl is 13 years. He would further submit that the petitioner is having three previous cases. He would further submit that the statement of the victim girl is recorded and investigation has been completed and final report has also been filed. He would also submit that the DNA sample of this petitioner tallied and that the earlier bail petition filed by the petitioner were dismissed by this Court. Hence, he would vehemently oppose for the grant of bail to the petitioner.



5. I have given my anxious consideration to either side submissions and perused the materials available on record.

6. From the submissions made by the learned Government Advocate, the petitioner has got three previous cases for robbery and apart from that the learned Government Advocate would submit that the DNA sample tallies with this petitioner and the age of the victim is 13 years and in such view of the specific allegations against this petitioner, this Court is not inclined to give parity of bail, which was granted to the other co-accused. Therefore, considering the gravity of offence and seriousness of allegation and the evidence available before the investigating authority, this Court is not inclined to enlarge the petitioner on bail.

7. In view of the above, this Criminal Original Petition is dismissed.

10-03-2026

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C.KUMARAPPAN, J.

ATA

To

1. The Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act Cases, Chengalpattu.
2. The Inspector of Police, AWPS-Pallavaram Police Station, Chennai District.
3. The Superintendent of Police, Central Prison-II, Puzhal, Chennai.
4. The Public Prosecutor, High Court of Madras.

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