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CRL OP No. 4211 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-02-2026

CORAM

THE HON'BLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 4211 of 2026

Shanmugasundaram

..Petitioner(s)

Vs

The State Rep. by the Inspector of Police,
Gudiyatham All Women Police Station,
Gudiyatham, Vellore District.
(Crime No.71 of 2025)

..Respondent(s)

PRAYER Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleaded to enlarge the petitioner pending investigation in Crime No.71/2025 on the file of the Inspector of Police, Gudiyatham All Women Police Station, Gudiyatham, Vellore District.

For Petitioner(s): Mr.G.Vinodh Kumar

For Respondent(s): Dr.C.E.Pratap
Government Advocate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 18.06.2025, for the offences punishable under Sections 5(l), 5(n), 5(j)(ii) r/w 6(1) of POCSO Act and Section 64(2)(m), 64(2)(A), 351(2) of BNS in Crime No.71 of 2025, registered on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner is the cousin brother of the victim girl, who is aged about 16 years and taking advantage of



her loneliness, he has committed penetrative sexual assault and threatened her of dire consequences. Hence, this case.

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3. The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated in this case and he is in judicial custody since 18.06.2025. He further submitted that the victim girl has not stated about the petitioner herein in her statement; and that the petitioner is ready to abide by any conditions that may be imposed by this Court and sought for bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and reported that the victim girl is aged about 16 years and the statements were also recorded from her and the investigation in this case is pending. Hence, he opposed for the grant of bail to the petitioner.

5. Considering the case of the prosecution that the petitioner is aged about 21 years and the minor victim girl aged about 16 years and petitioner has committed aggravated penetrative sexual assault and also caused pregnancy to her, if the petitioner is released on bail there is likelihood of tampering with witnesses, this Court is not inclined to grant bail to the petitioner.



6. Accordingly, this Criminal Original Petition is dismissed.

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GBI

To

1. The State Rep. by the Inspector of Police,
Gudiyatham All Women Police Station,
Gudiyatham, Vellore District.

(Crime No.71 of 2025)

2. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

GBI

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