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CRL OP No. 6238 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 6238 of 2026

Vijay S/o.Ravi,
North Street,
Karaikayan,
Kudavasal Taluk,
Tiruvarur District.

..Petitioner(s)

Vs

State represented by:

The Inspector of Police
Peralam Police Station,
Tiruvarur District
Crime No. 5/2026.

..Respondent(s)

PRAYER: The Criminal Original Petition has been filed under Section 483 of B.N.S.S. praying to enlarge the petitioner on bail pending investigation in Crime No. 05/2026 on the file of the respondent.

For Petitioner(s): Mr. T.Muruganantham

For Respondent(s): Mr. S. Vinoth Kumar,
Government Advocate (Criminal side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 07.01.2026 for the alleged offences under Sections 7 r/w 8 of Protection of Children from Sexual Offence Act in Cr. No.5 of 2026 on the file of the respondent police, seeks bail.



2. The *case of the prosecution* is that the victim boy, aged about 7 years, is the son of the defacto complainant. On 06.01.2026, when the victim boy went to the Hair Cutting Saloon run by the petitioner, he committed aggravated penetrative assault on the victim boy. Based on the complaint given by the father of the victim boy, this case has been registered against the petitioner.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution. He would further submit that the petitioner is under incarceration since 07.01.2026 and he is ready and willing to abide by any condition that may be imposed by this Court and hence prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Criminal side) appearing for the respondent police reiterated the prosecution case and strongly opposed to grant bail to the petitioner. He has also submitted the copy of the statement of the victim recorded under 183 of B.N.S.S.

5. I have given anxious consideration to the submissions made by the learned counsel on either side.

6. Though the learned counsel appearing for the petitioner would submit that the petitioner has been under incarceration since 07.01.2026, the offences



involved in this case are under Sections 7 and 8 of POCSO Act. The learned Government Advocate has submitted the statement of the victim boy recorded by the learned District Munsif-cum-Judicial Magistrate, Nannilam on 06.02.2026, wherein it appears that the age of the victim boy is 7 years and he has spoken about the sexual assault made by the petitioner against the victim boy. From the submissions of the learned Government Advocate, it appears that both the victim and the petitioner are residing in the same village and therefore, as rightly contended by the learned Government Advocate, if the petitioner is enlarged on bail, there is every likelihood for causing mental trauma to the victim boy. Therefore, this Court is not inclined to enlarge the petitioner on bail.

7. Accordingly, this Criminal Original Petition is **dismissed**.

11-03-2026

MJS

Note:

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.



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C.KUMARAPPAN, J.

MJS

To

1. The Public Prosecutor, High Court, Madras.
2. The Inspector of Police, Peralam Police Station, Tiruvarur District.

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