



WEB COPY

CRL OP No. 5362 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 5362 of 2026

Mahendramoorthi
S/o Sekar,
D.No.149.Gettisamudram Colony,
Bhavani,
Erode District.

..Petitioner(s)

Vs

The State Rep By The Inspector of Police
All Women Police Station,
Bhavani.
(Cr.No.36/2025)

..Respondent(s)

Criminal Original Petition filed under Section 483 of BNSS,
praying to enlarge the petitioner on bail pending disposal in Crime No.36 of
2025 on the file of All Women Police Station, Bhavani, Erode District.

For Petitioner(s): Mr.G.P.Dharmaraja

For Respondent(s): Mr.S.Vinoth Kumar,
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on
18.10.2025 for the alleged offences under Sections 5(l), 5(j)(ii), 6 of Protection
of Children from Sexual Offences Act, 2012, in Crime No.36 of 2025 on the file
of the respondent police, seek bail.

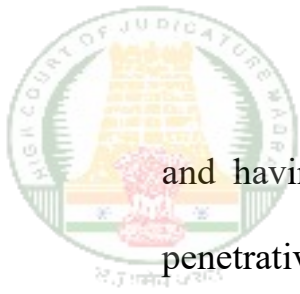


2. The case of the prosecution is that the petitioner is alleged to have committed sexual assault on the victim girl and, due to the same, the victim got pregnant. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner has been falsely implicated in this case and that he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner has been in custody since 18.10.2025 and is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (Crl. Side) for the respondent police reiterated the prosecution case and submitted that the investigation is still pending and the allegations against the petitioner are serious in nature. Hence, he opposed the grant of bail to the petitioner.

5. From the submissions made on either side, though the petitioner has been in judicial custody since 18.10.2025, the same cannot be termed as an extenuating circumstance in view of the nature of the allegations made against him. According to the prosecution, the petitioner, who is aged about 37 years



and having three female children, had committed the offence of aggravated penetrative sexual assault against a minor girl. Therefore, this Court is of the view that though the petitioner has been behind bars since 18.10.2025, taking into consideration of the totality of the circumstances is of the view that if the petitioner is enlarged on bail, there is every possibility of tampering with the witnesses. Hence, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition stands dismissed.

03-03-2026

cda

To

1.The Inspector of Police
All Women Police Station,
Bhavani.

2.The Public Prosecutor,
High Court of Madras.



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C.KUMARAPPAN J.

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