



WEB COPY

CRL OP No. 7270 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 7270 of 2026

Ajith Kumar

..Petitioner(s)

Vs

The State Rep. by
The Sub-Inspector of Police
Gudiyatham Taluk Police Station
Vellore District, Tamil Nadu.
Crime No.18/2026.

..Respondent(s)

Muniyammal

..Intervener(s)/
Defacto Complainant

[Permitted to intervene vide order dated 27.03.2026 made
in CrI.M.P.No.5716/2026 in CrI.O.P.No.7270/2026]

Criminal Original Petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, to enlarge the petitioner on bail on connection with the Cr.No.18 of 2026 pending investigation on the file of the respondent Police.

For Petitioner(s): Mr.D.Anandan

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

For Intervener(s): Mr.A.M.Abishek

**ORDER**

The petitioner, who was arrested and remanded to judicial custody on 24.01.2026 for the alleged offences under Sections 329(4), 296(b), 115(2), 74, 62 and 64(1) of the Bharatiya Nyaya Sanhita (BNS), 2023 read with Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 1998, in Crime No.18 of 2026 on the file of the respondent police, seeks bail.

2. According to the prosecution, on 22.01.2026, at about 8:00 PM, while the defacto complainant, Mrs.Muniyammal, was alone in her house, the petitioner, resident of same locality entered into the defacto complainant's house in an intoxicated state and demanded money. When she refused, the petitioner allegedly dragged her to the verandah and subjected to sexual assault.

3. The learned counsel for the petitioner would submit that the petitioner is innocent, notwithstanding the serious nature of allegations. It is his specific contention that no specific overt act has been attributed to the petitioner and further stated that the petitioner is a person of unsound mind. It is further contended that the petitioner has been in custody since 24.01.2026, he prayed for the grant of bail to the petitioner.

4. However, opposing the bail petition, the learned counsel for the



intervener/defacto complainant would submit that the victim is 77 years old and was brutally assaulted sexually by the petitioner while she was alone at home.

He further contended that the petitioner is a habitual offender with a history of continuous criminal activities and hence, strongly objected to grant bail to the petitioner.

5. The learned Government Advocate (Criminal Side), appearing for the respondent police, reiterated the prosecution's case and submitted that the 77 year old victim was subjected to a grave sexual assault. He further stated that the petitioner is a habitual offender with five previous cases pending against him. It was also stated that the victim's statement was recorded under Section 183 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, on 24.02.2026 and the same was placed before this Court. The learned learned Government Advocate (Criminal Side) further contended that, if the petitioner is enlarged on bail, there is every likelihood of difficulty in securing the presence of witnesses before the Court to depose evidence without fear.

6. I have given my anxious consideration to the submissions made by the learned counsel on both side.

7. Though the learned counsel for the petitioner has raised several contentions with regard to the allegations made in the case, this Court is of the



view that the submissions of the learned Government Advocate (Criminal Side), establish a *prima facie* case against the petitioner. The allegations are that the petitioner, being a neighbour, sexually assaulted a 77 years old woman living alone, are grave in nature. Considering the gravity of the offence, the petitioner's involvement in five previous cases, and the objection raised by the learned Government Advocate (Criminal Side), and learned counsel for the intervener, this Court is of the view that it is not desirable to enlarge the petitioner on bail at this stage.

8. Accordingly, the Criminal Original Petition is dismissed.

27-03-2026
(2/2)

Jeni

To

1. The Judicial Magistrate, Gudiyatham, Vellore District.
2. The Superintendent, Central Prison, Vellore.
3. The Sub-Inspector of Police
Gudiyatham Taluk Police Station, Vellore District, Tamil Nadu.
4. The Public Prosecutor, High Court of Madras, Chennai.



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C.KUMARAPPAN, J.

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