



WEB COPY

CRL OP No. 7178 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-03-2026

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THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 7178 of 2026

M.Manimaran

..Petitioner(s)

Vs

The State is represented by its
Inspector of Police
Udayarpalayam Police Station
Ariyalur District.
Crime No.70/2026.

..Respondent(s)

Pathusu

..Intervener(s)

Criminal Original Petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, to enlarge the petitioner on bail in Crime No.70 of 2026 on the file of the Inspector of Police, Udayarpalayam Police Station, Ariyalur District.

For Petitioner(s):	Mr.R.Vishnu Prasath
For Respondent(s):	Mr.S.Vinoth Kumar Government Advocate (Criminal Side)
For Intervener(s):	Mr.B.Mahendra Naidu



ORDER

The petitioner, who was arrested and remanded to judicial custody on 09.02.2026 for alleged offences punishable under Sections 64, 87 and 351(2) of the Bharatiya Nyaya Sanhita (BNS), 2023, in Crime No.70 of 2026 on the file of the respondent police, seeks bail.

2. Accordingly to the prosecution, on 04.02.2026, at about 8:30 PM, the defacto complainant, accompanied by the petitioner and another accused, went to visit the Deputy Superintendent of Police at Jayankondam. While returning to the village, the petitioner allegedly kidnapped the defacto complainant and raped her at Mundari Kadu. It is further alleged that the co-accused assisted by pinning the victim down, and subsequently, both accused threatened her with dire consequences to ensure her silence regarding the incident. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is innocent, notwithstanding the serious nature of allegations. He specifically contends that the case was registered due to prior enmity arising from a love affair involving the victim's son and a minor girl. It is further contended that the petitioner has been in custody since 09.02.2026, 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 45 year old victim was brutally raped during the late hours while travelling with the petitioner. He further contends that the petitioner, being a relative, abused the victim's trust, leaving her helpless. Since the gravity of offence is grave in nature, he 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 nature of the offence is heinous, involving the abduction and gang rape of a helpless woman. He placed the victim's statement recorded under Section 161 of the Cr.P.C. (now Section 180 of BNSS) before this Court. The learned learned Government Advocate (Criminal Side) further contended that, if the petitioner is enlarged on bail, there is a significant risk of witness tampering and interference with the investigation.

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 raised contentions regarding prior enmity, this Court finds that the materials produced by the prosecution establish a strong *prima facie* case against the petitioner. The allegations, that the petitioner took advantage of a relative and committed rape,



are of an exceptionally grave nature. Considering the gravity of the offence, the active role attributed to the petitioner, and the objections raised by the learned Government Advocate and the intervener, this Court is of the view that it is not a fit case to enlarge the petitioner on bail at this stage.

8. Accordingly, the Criminal Original Petition is dismissed.

27-03-2026
(2/2)

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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To

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1. The Fast Track Mahila Court, Ariyalur.
2. The Superintendent, Central Jail, Trichy.
3. The Inspector of Police, Udayarpalayam Police Station,
Ariyalur District.
4. The Public Prosecutor, High Court of Madras, Chennai.



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C.KUMARAPPAN, J.

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