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CRL OP No. 7879 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. 7879 of 2026

Manikandan S/o. Kaliyan,
No2/150 Koil Veethi,
MGR Street, Kuvadu Village,
Unundurpet

..Petitioner(s)

Vs

The State represented by:

The Inspector of Police
Inspector of Police,
All Women Police Station,
Ulundurpet, Kallakurichi.
Crime No.27 of 2025

..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 in Crime No.27 of 2025 on the file of Inspector of Police, All Women Police Station, Ulundurpet, Kallakurichi.

For Petitioner(s):	M/S. V.S.Dinesh
For Respondent(s):	Mr. S. Vinoth Kumar, Government Advocate (Criminal side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 24.06.2025 for the alleged offences under Sections 351(2) of B.N.S. and Sections 5(1), 5(n), 5(m) r/w 6 of POCSO Act in Cr. No.27 of 2025 on the file of the respondent police, seeks bail.



2. The *case of the prosecution* is that the petitioner, aged 36 years, committed aggravated penetrative sexual assault on the victim girl, aged 10 years old on three occasions during the period from 06.04.2025 to 26.05.2025 and hence the case.

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 has been falsely implicated in this case and he is under incarceration since 24.06.2025. He has also submitted that due to the family quarrel between the family of the petitioner and the victim, he has been falsely implicated in this case and the petitioner 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 enlarge the petitioner on the ground that the petitioner, being a married man and relative of the victim, who is aged 10 years, has committed penetrative sexual assault. He has also submitted the copy of the statement of victim recorded under Section 183 of B.N.S.S.



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

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6. The learned counsel for the petitioner would submit that the petitioner is under incarceration for the past 220 days and in this case, charge sheet has been filed and the case is under trial. The learned Government Advocate has submitted the statement of the victim recorded under Section 183 of B.N.S.S. before the learned Judicial Magistrate, Ulundurpet on 26.06.2025, wherein the victim, who is aged about 13 years and studying IX Standard, has stated about the sufferings meted out by her by the sexual assault made by the petitioner. While looking into the statement, this Court could able to find the seriousness of the allegations against this petitioner. Taking into consideration of the serious allegations against the petitioner, as rightly contended by the learned Government Advocate, this Court is of the firm view that if the petitioner is enlarged on bail, it would create mental trauma to the victim girl and the same would also jeopardise the prosecution case and hence this Court is not inclined to enlarge the petitioner on bail..

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

MJS

27-03-2026



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.

To

1. The Public Prosecutor, High Court, Madras.
2. The Inspector of Police, All Women Police Station, Ulundurpet, Kallakurichi.



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C.KUMARAPPAN, J.

MJS

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