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CRL OP No. 7448 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. 7448 of 2026

G.Sakthivel S/o.Govindasamy,
1/85, Anjineyar Koil Street,
Navalur,
Kancheepuram 603 103.

..Petitioner(s)

Vs

The State represented by:

The Inspector of Police
AWPS-Thirupathur,
Thirupathur District.
Crime No. 34/2025.

..Respondent(s)

PRAYER: The Criminal Original Petition has been filed under Section 483 of B.N.S.S. praying to grant bail to the petitioner in Cr.No. 34/2025 pending investigation on the file of the respondent police and thus render justice.

For Petitioner(s): Mr. Mohanraj

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 18.10.2025 for the alleged offences under Section 137(2) of B.N.S. and Sections 5(1) r/w 6 of POCSO Act in Cr. No.34 of 2025 on the file of the respondent police, seeks bail.



2. The *case of the prosecution* is that the petitioner lured the victim under the pretext of love, kidnapped her to Chennai, confined and committed aggravated sexual assault and attacked her 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 due to the land dispute between the petitioner and the father of the victim, false complaint has been lodged against him, the petitioner is under incarceration since 18.10.2025 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 enlarge the petitioner on bail on the ground that the petitioner, who is a married man, committed aggravated sexual assault on the victim, aged 16 years. 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.



6. From the statement of the victim girl recorded under Section 183 of B.N.S.S before the learned Judicial Magistrate, Vaniyambadi, though there is consensual nature of relationship exists between the petitioner and the victim, the petitioner, being a 36 years old married man, the very consent cannot be construed in favour of the petitioner. Hence taking into consideration the seriousness of the allegations against the petitioner and upon the fact that if the petitioner is enlarged on bail, it would create mental trauma to the victim girl, this Court is not inclined to enlarge the petitioner on bail.

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

27-03-2026

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.

To

1. The Public Prosecutor, High Court, Madras.
2. The Inspector of Police, AWPS-Thirupathur, Thirupathur District.



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C.KUMARAPPAN, J.

MJS

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