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CRL OP No. 8932 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-04-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 8932 of 2026

S. Dhakshnamoorthy
S/o Shanmugam,
No.85, East Namasivayapuram,
Choolaimedu, Chennai -600094.

..Petitioner(s)

Vs

State represented by:

The Inspector of Police
W-27, AWPS Vadapalani Police Station,
Chennai
(Crime No.03/2026)

..Respondent(s)

PRAYER: The Criminal Original Petition has been filed under Section 483 of B.N.S.S. praying to consider the age of the petitioner and facts of the case and please to enlarge the petitioner/accused on bail in Cr.No.3/2026 pending on the file of respondent police.

For Petitioner(s):

Mr. A. Arun Alex for M/S. AAA LAW FIRM

For Respondent(s):

Mr. S. Vinoth Kumar,
Government Advocate (Criminal side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 12.03.2026 for the alleged offences under Section 64(2)(f), 64(2)(l) and 64(2)(m) of B.N.S.in Cr. No.3 of 2026 on the file of the respondent police, seeks bail.



2. The *case of the prosecution* is that the petitioner is A1 and the mother of the defacto complainant is A2. A2 had gained some financial assistance from A1, for the purpose of her elder daughter's marriage. While being so, A2 gave tablet to the victim girl, who is her own younger daughter and when the victim was in an unconscious state, A1 had committed rape on her and he has repeated the same on many occasions with the help of A2 and hence the case.

3. The learned counsel for the petitioner would submit that the petitioner was arrested and remanded to judicial custody on 12.03.2026. He would further submit that the petitioner has been falsely implicated in this case and he has nothing to do with the commission of offences as alleged by the prosecution and hence prayed to enlarge the petitioner on bail.

4. At this juncture, the learned Government Advocate (Criminal side) appearing for the respondent police would strongly object the bail application and he has also submitted the statement of the victim girl recorded before the learned XXIII Metropolitan Magistrate, Saidapet, Chennai under Section 183 of B.N.S.S. and investigation is at preliminary stage.

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



6. From the reading of the statement of the victim girl recorded under Section 183 of B.N.S.S. it is seen that there is a reference that the victim girl was conceived and thereafter, the foetus was sent for DNA test and the DNS test result is yet to be received. Therefore, taking into consideration of the totality of circumstances and upon the fact that investigation is at preliminary stage, this Court is of the firm view that it is not an appropriate stage to consider this bail application.

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

09-04-2026

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, W-27, AWPS Vadapalani Police Station, Chennai.



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C.KUMARAPPAN, J.

MJS

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