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CRL OP No. 12326 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 12326 of 2026

Durgaivel

..Petitioner

Vs

State Rep. by
The Inspector of Police
Udumalpet All Women Police Station,
Tiruppur District,
Crime No. 55 of 2025.

..Respondent

Prayer: Criminal Original Petition filed under section 483 of BNSS to enlarge the petitioner on bail pending trial in Spl. S.C. No. 279 of 2025 on the file of the learned Sessions Judge, Mahalir Neethimandram, (Fast Track Mahila Court), Tiruppur District.

For Petitioner:

Mr.P.Thinesh

For Respondent:

Mr.S.Yogaraja Sekar,
Counsel for Government of Tamil Nadu
(Criminal Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 19.10.2025 for the alleged offence under Section 137(1)(b), 137(2), 127(2) of BNS and Section 5(l) r/w 6 of POCSO Act in Crime No.55 of 2025 on the file



of the respondent police, seeks bail.

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2. The case of the prosecution is that the petitioner has committed penetrative sexual assault on the victim. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated in the present case and that he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays for grant of bail to the Petitioner.

4. Per contra, the learned Government Advocate (Criminal Side) appearing for the Respondent Police reiterated the prosecution case and opposed the grant of bail to the Petitioner.

5. I have given my anxious consideration to either side submissions and perused the materials available on record.

6. Considering the facts and circumstances of the case; taking note of the submission made by the learned Government Advocate (Crl.Side), it is seen that it is a case of love affair between the petitioner and the victim girl. While perusing the 183 statement recorded under BNSS, the victim girl has stated that



the petitioner has committed forceful penetrative sexual assault upon her.

Considering such serious allegations against the petitioner and upon the fact that the victim has not yet been examined before the Court, this Court is of the firm view that it is not appropriate to consider the bail application at this stage.

7. Accordingly, this Criminal Original Petition is dismissed.

08-06-2026

SHL

To:

1. The Sessions Judge, Mahalir Neethimandram,
(Fast Track Mahila Court), Tiruppur.

2. The Inspector of Police
Udumalpet All Women Police Station,
Tiruppur District.

3. The Public Prosecutor
High Court of Madras



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C.KUMARAPPAN J.

SHL

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