



WEB COPY

CRL OP No. 12596 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14-05-2026

CORAM

THE HON'BLE MR.JUSTICE P. DHANABAL

CRL OP No. 12596 of 2026

Samardass

..Petitioner(s)

Vs

The State Rep By
The Inspector of Police,
Pallipalayam Police Station,
Namakkal.
Crime No.114/2025.

..Respondent(s)

To enlarge the petitioner on bail in Crime No.114 of 2025 on the file of respondent police and thus render justice.

For Petitioner(s): Mr.C.Deepakkumar

For Respondent(s): Mr.V.J.Priyadarsana
Government Advocate (Crl.side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 07.04.2025 for the offences punishable under Sections 115(2), 87, 351(2) of BNS Act and under Section 4 of TNPHW Act and 5(m), 5(i), 5(n), 5(r) r/w Section 6 of POCSO Act, 2010 in Crime. No. 114 of 2025 on the file of the respondent police, seeks bail.



2. The case of the prosecution is that the petitioner was earlier in a relationship with the defacto complainant. Due to a difference of opinion between them, the petitioner had taken the victim's child, who is aged about one year and committed penetrative sexual assault on the victim child. The petitioner considered the child as an intruder for his relationship with the child's mother, and hence, he strangled and suffocated the child with an intention to kill it and also committed penetrative sexual assault on the child. Due to which, the victim child suffered severe injuries, including abrasion over the left frontoparietal region, swelling and hematoma over the left wrist region, forearm, and a penetrating injury on the vaginal region. Hence, the case.

3. The learned counsel for the petitioner would contend that the petitioner is under judicial custody since 07.04.2025. Petitioner is the step father of the victim child. Due to family dispute between the petitioner and the defacto complainant, the defacto complainant has filed a false case against the petitioner. He is innocent and has nothing to do with the alleged offence. Hence, he prays for grant of bail.

4. The learned Government Advocate (Criminal Side) reiterated the prosecution case and submitted a medical report before this Court, which clearly shows the existence of penetrative injury on the vaginal region and also multiple injuries on the body of the one year old girl child. Hence, he vehemently



opposed the grant of bail to the petitioner.

WEB COPY

5. Heard both sides and perused the materials available on record.

6. Considering the rival submissions of the both sides and considering the grave nature of the offence charged against the petitioner and that though investigation has been completed, there are some incriminating materials available as per the medical report, thus, this Court is not inclined to grant bail to the petitioner at this stage.

7. Considering the date of the FIR and pendency of the case, the Trial Court is directed to expedite the trial without granting long adjournment beyond one week.

8. Accordingly, the Criminal Original Petition is dismissed.

14-05-2026

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

GD



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 Judicial Magistrate Court, Kumarapalayam

2. The Inspector of Police,
Pallipalayam Police Station,
Namakkal.

3. The Public Prosecutor,
Madras High Court.



WEB COPY

CRL OP No. 12596 of 2



P.DHANABAL, J.

GD

CRL OP No. 12596 of 2026

14-05-2026