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CRL OP. No.13276 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.05.2026

PRESENT

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

CRL.O.P.No.13276 of 2026

Venkatesan
S/o.Jayaraman,
No.3, Ceylon Colony,
Ammoor, Walajah Taluk,
Ranipet District.

... Petitioner / Sole Accused

Vs.

State Rep. By
The Inspector of Police
Ranipet Police Station,
Ranipet District.
(Crime No.91 of 2026)

... Respondent / Complainant

PRAYER: Criminal Original Petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 praying to grant bail to the petitioner in Crime No.91 of 2026 on the file of the respondent police.

For Petitioner : Mr.B.Mohan
For Respondent : Mr.V.J.Priyadarsana
Government Advocate (Criminal Side)

ORDER

This Criminal Original Petition has been filed by the petitioner on 18.05.2026 under Section 483 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 praying to grant bail.



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2. The petitioner/Sole Accused was arrested and remanded to judicial custody on 09.04.2026 for the alleged offences punishable under Sections 5(1), 6(1) of Protection of Children from Sexual Offences Act, 2012 (POCSO Act), Section 64(2)(m), 87 of Bharatiya Nagarik Suraksha Sanhita and Section 9 of Prevention of Child Marriage Act, 2006 in connection with Crime No.91 of 2026 on the file of the respondent police.

3. The case of the prosecution is that the defacto complainant's daughter found missing and subsequently it came to know that she went along with the petitioner, who is a married man and the victim is only 15 years and they both got married. Hence, the case.

4. Mr.B.Mohan, learned counsel for the petitioner, submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submits that the victim and the petitioner are relatives. Further the victim only on her own volition went along with the petitioner. The petitioner/Sole Accused has been in judicial custody since 09.04.2026 and till date he has been under incarceration. Hence he prays to grant bail to the petitioner.

5. *Per contra*, Mr.V.J.Priyadarsana, learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that the victim is only 15 years. The petitioner/Sole Accused is 34 years and



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married man and subsequently divorced his wife. He married the victim, who is only 15 years and had physical relationship. Now the victim was handed over to her parents. Accordingly, he prays for the dismissal of this petition.

6. Heard on both sides. This Court has perused the records.

7. Considering the nature and gravity of offence committed by the petitioner and considering the age of the victim, even though the learned counsel for the petitioner contended that the victim consented for the physical relationship and the marriage, when the victim is 15 years, is a child under the definition of POCSO Act, the alleged consent is immaterial.

8. Accordingly, this Criminal Original Petition is dismissed.

21.05.2026

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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 official website of this Court will be watermarked and will also have a QR code.**

To

1. The Inspector of Police, Ranipet Police Station, Ranipet District.
2. The Public Prosecutor, High Court of Madras, Chennai 600 104.

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R. SAKTHIVEL,J

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Order made in
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21.05.2026