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CRL OP No. 375 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-01-2026

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 375 of 2026

1. M.Vinoth Kumar
S/o. Mohankumar, No.19/21,
Thirumangaimannan Street, Sundaram
Colony, East Tambaram, Chennai-59

Petitioner(s)

Vs

1. The state rep.by, The Asst.
commissioner of Police,
Immoral Traffic Prevention Unit,
Egmore, Chennai-600 008.
Cr.No.2/2025.

Respondent(s)

PRAYER

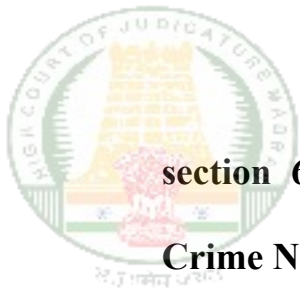
To enlarge the petitioner on bail in Spl.SC.No.154 of 2025 on the file of the Honble Sessions Judge, Special Court for Exclusive trial of cases under POCSO Act, Chennai-104.

For Petitioner(s): M/s.B.Ganesha Moorthy

For Respondent(s): Mr.A.Gopinath
Government Advocate(Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on **15.01.2025** for the alleged offence under **Section 5(1), (m), (n), 6, 11(1), 12, 14(1), (2) of the Protection of Child from Sexual offences (POCSO) Act and**



section 67(B), (b), (e) of the Information Technology (IT) Act 2000, in Crime No.2 of 2025 on the file of the respondent police, seeks bail.

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2. This is the 3rd bail petition. The petitioner's earlier bail petitions were dismissed twice in Crl.O.P.No.13997 of 2025 dated 11.07.2025 and in Crl.O.P.No.25015 of 2025 dated 13.10.2025 for the following reasons:

“5. Considering the submissions made and on perusal of the materials, it is seen that the petitioner contacted A2 through A4. A4 and A2 had a relationship and were close to each other. The petitioner purchased a smartphone and gave it to A2, who used the phone and took advantage of the poverty of victim Nos. 1 to 3, luring them with dresses, food, and money. On perusal of the victims' statements, it is confirmed that the victims were compelled, and due to their pitiable condition and on the request of A2, their friend's mother, they were involved in pornographic acts. It is seen that the obscene pictures and videos recorded by A2 were forwarded to the petitioner/A3. The digital evidence connects the petitioner with the other accused. It is also seen that some payments were made by the petitioner through Gpay to A2 periodically. The entire occurrence took place between October 2024 and January 2025. Now the investigation is completed, the charge sheet is filed, and prima facie materials are available to proceed with the trial. Hence, this Court is not inclined to grant bail to the petitioner.”

3. The learned counsel for the petitioner submitted that one of the co-accused, who is facing similar charges, moved this Court seeking quash of the criminal case, and this Court granted a stay on further proceedings in the trial. Hence, on the basis of the same, terming it as a change in circumstances, he prays to grant bail to the petitioner.



4. This Court is unable to accept the said contention since the co-accused have filed a quash petition to quash the allegations levelled against him. The interim order granted in favour of co-accused in no way considered as a change in circumstances for granting bail to the petitioner since the overt act attributed against the petitioner is not similar to him, hence, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

09-01-2026

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

To

1. The state rep. by, The Asst.
commissioner of Police,
Immoral Traffic Prevention Unit,
Egmore, Chennai-600 008.
Cr.No.2/2025.

2. The Public Prosecutor,
High Court, Madras.



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K.RAJASEKAR J.
mpa

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