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CrI.O.P.No.34461 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.02.2026

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

CrI.O.P.No.34461 of 2025

Vinodkumar @ Kutty

... Petitioner/Accused

Vs.

The State represented by
The Inspector of Police,
All Women Police Station,
Dharmapuri.
(Crime No.17 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner/Accused on bail in
Crime No.17 of 2025 pending on the file of the respondent Police.

For Petitioner : Mr.T.Meganathan

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on
08.04.2025, for the offence punishable under Sections 351(2) of BNS, read
with Section 5(1), 5(n), 6 of POCSO Act 2019 and Section 75 of Juvenile
Justice Act in Crime No.17 of 2025, registered on the file of the respondent,
seeks bail.



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2. The allegation against the petitioner is that the victim girl is aged about 16 years and the petitioner is the father of the victim girl and taking advantage of the loneliness of the victim girl, petitioner had committed penetrative sexual assault on the victim girl. Hence, the case was registered and the petitioner was arrested.

3. The learned counsel for the petitioner submitted that the petitioner is in incarceration from 08.04.2025 and the complaint was lodged on the instigation of the petitioner's wife, who was having strained relationship with the petitioner herein. He further submitted that, investigation in this case has been concluded and final report also filed. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) reiterated the prosecution case and submitted that it is a case of aggravated penetrative sexual assault against the victim girl. He further submitted that, trial is progressing and now PW1 and PW2 have been examined and if the petitioner is released on bail at this stage, it would hamper the investigation. Hence, he opposed to grant bail to the petitioner.



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5. Considering the nature of allegation that the petitioner had committed penetrative sexual assault against his own biological daughter and since trial in this case is progressing, at this stage, if he was let out on bail, it would hamper the investigation. Hence, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

04.02.2026

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K.RAJASEKAR, J.

sma

To

1. The Inspector of Police,
All Women Police Station,
Dharmapuri.

2.The Public Prosecutor,
High Court of Madras.

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