



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.01.2026

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.35727 of 2025

Fransis

... Petitioner

-VS-

State Rep by,
The Inspector of Police,
North All Women's Police Station,
Tiruppur,
TamilNadu – 641 607.
(Crime No.21 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS, 2023, to enlarge the petitioner on bail in Crime No.21 of 2025 on the file of the respondent police.

For Petitioner : Mr.S.Mohan Raj

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 18.04.2025 for the alleged offence punishable under Sections 5(1), 5(n), 5(q)(ii), 5(j)(ii) r/w 6 of Protection of Child from Sexual Offence Act, 2012 and 351(3) of BNSS Act, 2023 in Crime No.21 of 2025 on the file of the respondent police, seeks bail.



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2. The allegation against the petitioner is that he is the father of the victim girl aged about 15 years and that, taking advantage of her loneliness and after driving the mother out of the house, he committed aggravated penetrative sexual assault on several times, which resulted in the victim becoming pregnant. Hence, a complaint was lodged and the petitioner was arrested.

3. The learned counsel appearing for the petitioner submitted that the petitioner is in judicial custody since 18.04.2025 and that he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner has no previous case against him. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for respondent police reiterated the prosecution case and submitted that the victim girl has delivered a child, and that the DNA test was completed, establishing that the petitioner is the biological father of the child born to the victim in this case. He further submitted that the trial is still pending, and if the petitioner is released on bail, there is a likelihood of influencing or intimidating the witnesses. Hence, he opposed to grant bail to the petitioner.

5. Heard both sides and perused the materials available on record including the First Information Report.

6. Considering the submissions made by the learned counsel on either side, on perusal of the records including the statement of the victim girl narrated the



manner of occurrence and the DNA report establishes the paternity of the child and also considering the relationship between the parties, this Court is of the view that, if the petitioner is released on bail, there is a likelihood of indulging in similar activities and influencing the witnesses. Therefore, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, this Criminal Original Petition is dismissed.

07.01.2026

drl

To

1.The Inspector of Police,
North All Women's Police Station,
Tiruppur,
TamilNadu – 641 607.

2.The Public Prosecutor,
High Court, Madras.



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K. RAJASEKAR, J.

drl

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