



WEB COPY

Crl.O.P.No.3606



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.01.2026

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.36062 of 2025

Ashok Kumar

... Petitioner

-VS-

State Rep by,
The Inspector of Police,
Erode all Women Police Station,
Erode District.
(Cr. No. 36 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail in in Crime No.36 of 2025 on the file of the Respondent and pass orders.

For Petitioner : Mr.C. Sundaramoorthy

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



ORDER

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The petitioner, who was arrested and remanded to judicial custody on 16.10.2025 for the alleged offence under Sections 5(m), 5(n), 5(i) and 6 of POCSO Act, 2012 in Crime No.36 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner is a cousin brother of the victim girl aged about 13 years and he is residing near the house of the victim girl. It is alleged that the victim girl used to visit the petitioner's house frequently and taking advantage of the situation the petitioner compelled the victim girl to have intercourse with him and the same was refused by the victim girl. Even thereafter the petitioner forced her and committed aggravated sexual assault on the victim girl. The victim girl informed the occurrence to her parents and a case was registered.

3.The learned counsel appearing for the petitioner submitted that the petitioner is a relative of the victim girl and due to previous enmity he has been falsely implicated in this case and he is in judicial custody since 16.10.2025. He further submitted that the petitioner is ready to abide by any condition that may be imposed by this Court, hence prays to grant bail to the petitioner.



4. The learned Government Advocate reiterated the prosecution case and submitted that it is a case of aggravated penetrative sexual assault and further investigation in this case is pending and also produced the statement recorded from the victim girl under Section 183(6)(a) of B.N.S.S which reveals that the petitioner has committed aggravated penetrative sexual assault. Hence, he prays to dismiss this petition.

5. Considering the manner in which the occurrence has taken place and also taking note of the statement of victim and it is a case of aggravated penetrative sexual assault and if the petitioner granted bail, he would indulge in tampering the witness, hence this Court nature of offence committed by the petitioner, this Court is not inclined to grant bail to the petitioner and this petition stands dismissed.

08.01.2026

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To

1.The Inspector of Police,
Erode all Women Police Station,
Erode District.

2.The Public Prosecutor,
High Court, Madras.

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K. RAJASEKAR, J.

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