



WEB COPY



Crl.O.P.No.301 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.01.2026

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.301 of 2026

Karthick

... Petitioner/ Accused

Vs.

The State represented by
The Inspector of Police,
AWPS-Pallavaram Police Station,
Chennai District.
(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.D.Padmanabhan

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on
01.07.2025, for the offence punishable under Sections 5(1), 5(g), 5(j)(ii) read
with Section 6(1) of POCSO Act, 2012 and Section 67B IT Act in Crime
No.17 of 2025, registered on the file of the respondent, seeks bail.



2. The allegation against the petitioner is that the petitioner/A2 developed relationship with the victim girl and along with his friend one Sanjay started visiting the house and taking advantage of the age of the victim girl, had committed aggravated penetrative sexual assault repeatedly which resulted in the victim girl became pregnant. Hence, the case.

3. This is the second bail petition filed by the petitioner. Earlier this Court dismissed the petitioner's bail petition by stating the following reasons:

Considering the facts stated above and also the statement of the victim girl and it revealed that the petitioner joining hands with other accused continuously involved in sexually assaulting the victim girl and even her mother has not given proper care in protecting the girl and since the case is registered and the investigation in this case is completed and final report was also filed , which is taken on file in Spl.S.C.No.186 of 2025 on the file of the learned Special Court for Exclusive Trial of Cases under POCSO Act, Chengalpattu and the same is pending for production of the accused before the trial Court, hence, I am not inclined to grant bail to the petitioner.



Crl.O.P.No.301 of 2026

4. The learned counsel for the petitioner submitted that the similarly placed accused was granted bail by this Court in Crl.O.p.No.32742 of 2025 vide order dated 04.12.2025 and further submitted that based on the change in circumstances, prays for grant of bail to the petitioner.

5. The learned Government Advocate(Crl. Side) reiterated the prosecution case and submitted that, victim girl had become pregnant and subsequently delivered a baby and DNA test also conducted and it matches with the petitioner herein. He further submitted that, petitioner also involved in gang rape and co-accused who was granted bail has no overt act of committing penetrative sexual assault. Hence, he vehemently opposed for grant of bail to the petitioner.

6. Considering the gravity of the offence committed by the petitioner, in which he had involved in the offence of gang rape and the DNA test matches with the petitioner, this Court is not inclined to grant bail to the petitioner.



Crl.O.P.No.301 of 2026

7. Accordingly, this Criminal Original Petition is dismissed.

WEB COPY

20.01.2026

sma

To

1. The Inspector of Police,
AWPS-Pallavaram Police Station,
Chennai District.

2. The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.O.P.No.301 of 2026

K.RAJASEKAR, J.

sma

Crl.O.P.No.301 of 2026

20.01.2026