

**IN THE COURT OF DISTRICT AND SESSIONS JUDGE,
MAYILADUTHURAI.**

Present: Dr. L.S. Sathiyamurthy, M.A., M.L., Ph.D.,
District and Sessions Judge, Mayiladuthurai.
State of Tamil Nadu.

Tuesday, this the 10th day of March 2026.

Crl.M.P.No.323/2026

Madhanraj, S/o. Karuppaiyan

... Petitioner/Accused.

Vs

State through the Inspector of Police,
AWPS., Mayiladuthurai in Cr.No.2/2026.

... Respondent/Complainant.

U/s. 4 r/w 3(a) of POCSO Act, 2019 and Sec. 351(2) of BNS.

This petition came up today for the hearing before me in the presence of Thiru. V.S. Prabakaran Advocate for the Petitioner and Tmt. A. Aruna on behalf of Public Prosecutor for the State and after careful consideration of the materials available on record and the submissions made on behalf of the parties, this court passed the following:

ORDER

1. This is a petition filed U/s. 483 of BNSS, 2023.

2. Heard, the learned counsel for the petitioner and the learned Public Prosecutor.

3. The learned counsel for the petitioner/accused would submit that the respondent police has originally registered a case against the petitioner for the offences U/s. 4 r/w 3(a) of POCSO Act, 2019 and Sec. 351(2) of BNS. The petitioner was subsequently arrested on suspicion and remanded to judicial custody on 09.01.2026 and is in judicial custody for the past 60 days. This is the 2nd bail application. The defacto complainant is the wife of the petitioner. Due to family dispute, the defacto complainant has given false complaint against the petitioner. The petitioner is innocent and he did not commit any offences as alleged by the prosecution. Investigation is almost over. The petitioner is ready to abide by any conditions that would be imposed by this Court and prayed to grant bail to the petitioner.

4. The learned Public Prosecutor submitted that the defacto complainant is the wife of the petitioner and the victim girl namely Dhatchana aged about 9 years is his daughter. As per the case of the prosecution, on 01.01.2026 the petitioner had sexually harassed the victim girl by inserting his private part into the victim girl's private part. Hence, the case. Offence committed by the petitioner is serious in nature. The defacto complainant appeared before this court and objected to grant bail to the petitioner. The learned public prosecutor raised serious objections to release the petitioner on bail.

5. This court carefully considered the submission made by either side. The biological father is the accused and his daughter who is a minor girl studying 4th std is the victim. The mother of the victim is the defacto complainant. The allegations against the petitioner is that he has been sexually abusing his daughter aged about 9 years. The defacto complainant in her objections has stated that the neighbour who objected the act of the petitioner was also affected by the petitioner and two of his kittens were killed by the petitioner. Considering the peculiar facts and circumstances, this court is inclined to dismiss this petition.

In the result, this petition is dismissed.

Pronounced by me in the Open Court on the 10th day of March 2026.

District and Sessions Judge,
Mayiladuthurai.

Copy to

1. The Inspector of Police, AWPS., Mayiladuthurai.
2. The Petitioner through his counsel.