



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Thursday, the Eighteenth day of June Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.10398 of 2015

WEB COPY

K.MADHIVAANAN

... PETITIONER /SOLE ACCUSED

Vs

THE STATE REP.BY

THE INSPECTOR OF POLICE

GANESH NAGAR POLICE STATION, PUDUKOTTAI.

CR. NO. 183/2015.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.N.ANANTHAPADMANABHAN Advocate

For Respondent : Mr.K.V.RAJARAJAN, Government Advocate(crl.side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

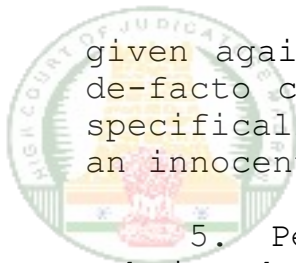
ORDER : The Court Made the following order :-

The petitioner, who is the sole accused apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 174 Cr.P.C. @ 306 of I.P.C., in Crime No.183 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2. The case of the prosecution is that the deceased was working as a teacher at Rayapati Primary School, where the accused was working as a Headmaster and due to the sexual harassment given by the accused, she committed suicide on 07.05.2015.

3. The learned counsel for the petitioner submitted that the school was closed on 30.04.2015 for summer holidays and the occurrence had taken place on 07.05.2015. The de-facto complainant in this case is the father of the deceased and he has specifically stated in the complaint that the deceased was suffering from intolerable stomach pain and therefore, she committed suicide. It is further submitted that the petitioner had attended the funeral of the deceased and thereafter, the husband of the deceased and his relatives came to the house of the petitioner and ransacked the entire house and also attacked the petitioner. The petitioner was admitted in the hospital and the case was given against the husband of the deceased which was registered in Crime No.154 of 2015 and after 5 days, ie., on 13.05.2015, the section was altered to 306 I.P.C. from 174 Cr.P.C., at the instance of the respondent stating that the petitioner had given sexual torture to the deceased.

4. The learned counsel for the petitioner further submitted that during the life time of the deceased, there was no complaint



given against the petitioner and if the allegations were true, the de-facto complainant, who is the father of the deceased would have specifically mentioned in the complaint and that the petitioner is an innocent and he has been falsely implicated in this case.

5. Per contra, the learned Government Advocate (Crl.side) submitted that the deceased and the accused were working in a Primary School and due to the sexual harassment given by the petitioner, she committed suicide.

6. However, considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of his arrest or on his appearance before the learned Judicial Magistrate, Pudukottai and on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioner shall appear before the respondent police daily at 10.00 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
18/06/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE JUDICIAL MAGISTRATE, PUDUKOTTAI.
2. THE CHIEF JUDICIAL MAGISTRATE, PUDUKOTTAI.
3. THE ADDL. PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
4. THE INSPECTOR OF POLICE
GANESH NAGAR POLICE STATION, PUDUKOTTAI.

+1. CC to M/S.N.ANANTHAPADMANABHAN Advocate SR.No.31835

ORDER

IN

CRL OP (MD) No.10398 of 2015

Date : 18/06/2015

RG.23.06.2015 2P/6C.