



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

Date : 20/01/2020

PRESENT

The Hon'ble Mr.Justice G.R.SWAMINATHAN

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CRL OP(MD). No.697 of 2020

A.Ramakrishnan,

... Petitioner/Sole Accused

Vs

State represented by
The Inspector of Police,
T.Kalluppatti Police Station,
Madurai District.
(Crime No.10/2020).

... Respondent/Complainant

For Petitioner : M/s.S.Pakalavan,
Advocate.

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

For Intervenor : Mr.T.Lajapathy Roy, Advocate

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

PRAYER :-

For Anticipatory Bail in Crime No. 10/2020 on the file of the Respondent Police.

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner, learned counsel appearing for the intervenor and the learned Government Advocate(Crl. Side) appearing for the respondent.

2. The petitioner apprehending arrest at the hands of the respondent police for the offences punishable under sections 7, 8, 9 (f) of POCSO Act, 2012, in Crime No.10 of 2020 on the file of the respondent police, seeks anticipatory bail.

3.The defacto complainant in this case is a minor girl studying in 8th standard in the Government School.



4.The specific allegation is that on 08.01.2020, the petitioner herein had sexually assaulted her after she was summoned to clean his room. The details of sexual assault have been graphically described in the complaint. The petitioner is a school teacher.

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5.The petitioner's counsel would claim that the petitioner's wife is a political functionary and that, he has been falsely implicated at the instance of her rivals.

6.Per contra, the learned counsel appearing for the intervenor produced photographs to show that even though the petitioner is a government servant, he has been taking part in political rallies. He also would point out that even though a case was registered as early as on 09.01.2020, the petitioner has not been suspended from service till date. To show the petitioner's influence, he would also point out that the Sub Inspector of Police who endeavored to arrest the petitioner, was transferred. The case on hand is one under POCSO Act. The petitioner is none other the school teacher of the victim.

7.Even though the petitioner's counsel would claim that there is a political dimension to the entire case, I am not persuaded by the said submission. I cannot fail to note that the defacto complainant is a young child aged about 13 years. Her statement under Section 164 of Cr.P.C., has also been recorded and is also to the same effect.

8.Taking note of the fact that the petitioner is a school teacher who stands as an accused of the offence under POCSO Act, I am not inclined to grant relief. Hence, this criminal original petition stands dismissed.

sd/-
20/01/2020

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/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE INSPECTOR OF POLICE
T.KALLUPPATTI POLICE STATION,
MADURAI DISTRICT.



2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-999 dated 21/01/2020)

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ORDER

IN

CRL OP(MD) No.697 of 2020

Date :20/01/2020

rmi

ES/JC/SAR 3/23.01.2020/3P/4C