



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 09.07.2021

CORAM :

THE HONOURABLE Mr.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.11866 of 2021

Govindan .. Petitioner/sole Accused
/versus/

The State by Inspector of Police,
AWPS Police Station, Pennagaram,
Dharmapuri District.
(Crime No.10 of 2021)

.. Respondent/Complainant

PRAYER: Criminal Original Petition is filed under Section 439 of Criminal Procedure Code to enlarge the petitioner on bail in connection with case in Crime No.10 of 2021 pending investigation on the file of the respondent police.

For Petitioner :Mr.R.Prabakar

For Respondent :Mr.V.J.Priyadarsana
Government Advocate (Crl. Side)

O R D E R

The petitioner, who was arrested and remanded to judicial custody on 23.04.2021 for the offence punishable under Sections 5(1), 5(c), 5(f) r/w 6 of POCSO Act 2012 in Crime No.10 of 2021 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 20.04.2021, the victim girl, who was aged about 14 years, is studying 9th standard in the Government school and the petitioner is working as Maths teacher in the said school. The petitioner called the victim girl to the classroom in the first floor and he had penetrative physical relationship with the victim girl and also the petitioner threatened the victim girl not to disclose the incident.

3. The learned counsel appearing for the petitioner would submit that the petitioner was arrested on 23.04.2021. Further he submitted that earlier application filed by the petitioner in Crl.O.P.No.10210 of 2021 was dismissed on 10.06.2021. Hence, he prayed to release him on bail.

4. The learned Government Advocate (crl.side) would submit that the petitioner is working as Maths teacher in the Government School. The victim girl is studying 9th standard in the said school. The petitioner called the victim girl to come to the classroom in the first floor and the petitioner had penetrative relationship with the victim girl. A statement was recorded under Section 164 of Cr.P.C. Further, he would submit that the petitioner is doing the same nature



of crime against the other students also. Hence, he vehemently opposed to grant bail to the petitioner.

5. On perusal of the statement recorded under Section 164 of Cr.P.C., it is revealed that the petitioner had committed very serious and grave offence as against the school student. It is also seen that there are so many complaints as against the petitioner in the same nature of offence from other students.

6. Taking into consideration that the bad antecedents of the petitioner, this Court had dismissed the earlier application filed by the petitioner and that there is no change of circumstances. Therefore, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the Criminal Original Petition is dismissed.

-sd/-
09/07/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE INSPECTOR OF POLICE,
AWPS POLICE STATION,
PENNAGARAM,
DHARMAPURI DISTRICT.

2 THE OFFICER INCHARGE,
SUB JAIL, DHARMAPURI

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S. R.PRABAKAR Advocate on payment of necessary charges

CRL OP.11866/2021

Date :09/07/2021

JPA 16/07/2021