



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Eleventh day of November Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.21087 of 2021

IN S.S.C.NO.43 of 2021

(On the file of the Learned Sessions Judge, Special Court under POCSO Act, Nagapattinam)

G.GNANASKANDHAN

[PETITIONER / ACCUSED]

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
MAYILADUTHURAI,
MAYILADUTHURAI DISTRICT.
CRIME NO.41 OF 2021.

[RESPONDENT]

For Petitioner : M/S.A.R.SURESH Advocate

For Respondent : MR.S.SUGENDRAN, Govt. Advocate (Crl. Side)

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who was arrested on 12.08.2021 and remanded to judicial custody for the alleged offences punishable under Section 12 of POCSO Act 2012 and Section 4 of Tamilnadu Prohibition of Harassment of Women Act, in Crime No.41 of 2021 on the file of the respondent police, seeks bail.

2. This is the third bail application filed by the petitioner before this Court. The case of the prosecution is that the petitioner worked as a Maths Teacher in K.S.O. High School, Manganallur, Mayiladuthurai District. Further the petitioner sexually abused the minor girls studying in that school. Hence, the law enforcing agency registered a case against the petitioner.



3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the petitioner has been in jail from 12.08.2021. He also submitted that the case has been registered against the petitioner at the instigation of the School Management of K.S.O. High School, Manganallur, and that, earlier occasion the District Educational Officer instigated the Secretary to permit the petitioner to join duty and pay him salary which was not complied by the Secretary and for the same, the Writ petition is filed before this Court in W.P.No.9880 of 2020 and the same was pending for final disposal. Hence, he prays to grant bail to the petitioner.

4. The learned Government Advocate (Crl.Side) submits that the petitioner had sexually abused the minor girls studying in the said school and 164 statement has also been recorded from the victim girl. He further submitted that earlier two bail applications were dismissed by this Court and there is no change of circumstances. Hence, he vehemently opposed to grant bail to the petitioner.

5. On perusal of the 164 statement, since there are serious allegations made against the petitioner and considering the gravity of the offence committed by the petitioner and enlarging the petitioner on bail may cause serious danger to very many students and though the charge sheet has been filed, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition stands dismissed.

-sd/-
11/11/2021

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 SESSIONS JUDGE,
SPECIAL COURT UNDER POCSO ACT,
NAGAPATTINAM.

2 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
MAYILADUTHURAI, MAYILADUTHURAI
DISTRICT.



3 THE OFFICER INCHARGE,
SUB JAIL, MAYILADUTHURAI.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.A.R.SURESH Advocate on payment of necessary charges
SR.NO.12726

CRL OP.21087/2021

Date :11/11/2021

JPA 22/11/2021