



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 26.11.2021

CORAM :

THE HONOURABLE Mr.JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P.No.22356 of 2021

Govindan

.. Petitioner/sole Accused

/versus/

The State,
Rep by The Inspector of Police,
All Women 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 Spl.SC.No.36 of 2021 pending trial on the file of the learned Sessions Judge, Fast Track Mahila Court, Dharmapuri.

For Petitioner : Mr.N.Manoharan

For Respondent : Mr.L.A.J.Selvam,
Government Advocate (Cr1. Side)

ORDER

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) & 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 is aged about 14 years, studying 9th standard in the Government school whereas 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 he also threatened the victim girl not to disclose the said incident to anyone.



3. The learned counsel appearing for the petitioner would submit that the petitioner was arrested on 23.04.2021. Further he submitted that earlier applications filed by the petitioner in CrI.O.P.Nos.10210, 11866 and 14480 of 2021 and 16628 of 2021 were dismissed by order dated 10.06.2021, 09.07.2021 and 17.08.2021 & 14.09.2021 respectively. He further submitted that the petitioner is in judicial custody for more than 190 days. Hence, he prayed to release the petitioner 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 he had penetrative relationship with the victim girl. A statement was recorded under Section 164 of Cr.P.C. He would further submit that the petitioner was doing the same nature of crime against the other students also. Hence, he vehemently opposed to grant bail to the petitioner.

5. On a 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. This Court had dismissed the earlier applications filed by the petitioner and also the reasons stated by the learned counsel for the petitioner would not make any change of circumstances. Therefore, this Court is not inclined to grant bail to the petitioner. In fact, already this Court directed the trial court to complete the trial within a period of six months from the date of receipt of copy of the order. Therefore, the trial court is directed to comply with the said direction issued by this Court by order dated 14.09.2021.

7. With the above direction, this criminal original petition is dismissed.

-sd/-
26/11/2021

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.



1 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
PENNAGARAM,
DHARMAPURI DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE SUPERINTENDENT,
CENTRAL PRISON, SALEM

+1 CC to M/S. N.MANOCHARAN Advocate on payment of necessary
charges SR.NO.13594

CRL OP.22356/2021

Date :26/11/2021

TA-01/12/2021