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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.01.2022

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Cr1.O.P.No.1638 of 2022

Tamil Selvan

... Petitioner

Vs.

The State Rep. by
The Inspector of Police,
K- 11, CMBT Police Station,
Chennai
(Crime No.608 of 2021)

...Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to enlarge the petitioner on bail in Crime No.608 of 2021 on the file of the respondent police.

For Petitioner : Mr.S.Suresh

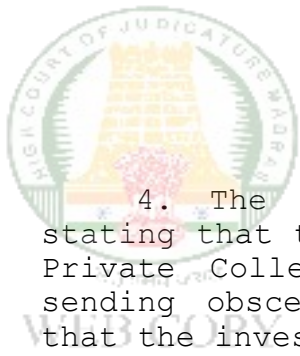
For Respondent : Mr.A.Gokula Krishnan
Additional Public Prosecutor

ORDER

The petitioner who was arrested and remanded to judicial custody on 01.12.2021 for the offences under Section 4 of TNPHW Act 2002 and Section 67 of Information Technology Act 2000 in Crime No.608 of 2021, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner is working as a Assistant Professor in a Private College, he gave sexual torture to the girl students by sending obscene materials through mobile phone. Hence, the complaint.

3. The learned Counsel for the petitioner submits that the petitioner has not committed any such offence as alleged by the prosecution and he has been falsely implicated in this case. He further submits that the petitioner was suffering incarceration for 56 days from 01.12.2021. Hence, he seeks to grant bail to the petitioner.



4. The learned Additional Public Prosecutor raised objection stating that the petitioner is working as a Assistant Professor in a Private College, he gave sexual torture to the girl students by sending obscene materials through mobile phone. He further submits that the investigation was almost completed.

5. Considering the facts and circumstances of the case and the submissions made by both counsel and the investigation was almost completed, and also sent out from that college, this Court is inclined to grant bail to the petitioner with conditions.

[a] the Petitioner is ordered to be released on bail on executing his own bond for a sum of Rs.10,000/- (Rupees ten thousand only), before the Superintendent of the concerned prison, in which the petitioner has been confined and thereafter on his release;

[b] the petitioner shall execute two sureties each like sum for a sum of Rs.10,000/- (Rupees Ten Thousand only), before the V Metropolitan Magistrate, Egmore, Chennai within 15 days from the date of commencement of the Court's normal functioning, failing which the bail granted by this Court shall stand dismissed automatically;

[c] the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[d] the petitioner shall report before the respondent police on every Tuesday at 10.30 a.m. until further orders;

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[f] the petitioner shall not abscond either during investigation or trial;

[g] on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;



[h]if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-

25/01/2022

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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 V METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI.

2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI (FOR INFORMATION).

3 THE INSPECTOR OF POLICE,
K-11 CMBT POLICE STATION,
CHENNAI.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL.

+1 CC to M/S.S.SURESH Advocate on payment of necessary charges
SR.NO.1160

CRL OP.1638/2022

Date :25/01/2022

INBA~25/01/2022