



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Eighth day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.13227 of 2022

MUTHUSAMY

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
DHARMAPURI.
CR.NO.04/2022.

[RESPONDENT]

For Petitioner : M/S.R.RADHA PANDIAN Advocate

For Respondent : MR.A.DAMODARAN, Additional Public Prosecutor,

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner who was arrested and remanded to judicial custody on 23.03.2022 at the hands of the respondent police for the offences punishable under Sections 9 (f), 9 (m) r/w Section 10 of POCSO Act in Crime No.04 of 2022, seeks bail.

2.The case of the prosecution is that the victim girl is studying 5th standard in the Government Panchayath Union Elementary School, Poonjolai village. It is alleged that the petitioner was working as a teacher in the same school and on 21.03.2022 at 10.00 a.m. and also at 2.00 p.m., the petitioner had committed sexual assault on the victim girl. Hence, the complaint was registered as against the petitioner.

3.The learned counsel for the petitioner submitted that the petitioner had unblemished service in the teaching profession. No such occurrence was happened as alleged by the prosecution. Due to private litigation, the present false complaint has been registered against the petitioner. He further submitted that the petitioner was arrested and remanded to judicial custody on 23.03.2022. Hence, he prays for grant of bail to the petitioner.



4.The learned Additional Public Prosecutor would submit that the victim girl aged about 11 years who was studying 5th standard in the school run by the petitioner in which the petitioner is the Head Master. He committed very serious offence against the school students and there are eye witnesses. He also produced statement recorded under Section 164 Cr.P.C. and it revealed that, on the date of occurrence i.e on 21.03.2022 the petitioner had committed sexual assault on the victim girl. There are eye witnesses to substantiate the statement of the victim girl. The petitioner being headmaster, he has committed very serious offence as against the students. Hence, he vehemently opposed to grant bail to the petitioner.

5.Considering the above facts and circumstances of the case, this Court is not inclined to grant bail to the petitioner.

6.Accordingly, this Criminal Original Petition is dismissed.

-sd/-
08/06/2022

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,
ALL WOMEN POLICE STATION,
DHARMAPURI.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE SUPERINTENDENT,
CENTRAL PRISON, SALEM.

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

CRL OP.13227/2022

Date :08/06/2022

TA-29/06/2022