



Crl.O.P.No.17946 of 2022

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G.K.ILANTHIRAIYAN, J.

The petitioner who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 5(f), 5(l) and 6 of the Protection of Children from Sexual Offences Act, 2012, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner is working as a part time Physical Training Teacher at Okkiyam Thoraipakkam Government School, Chengalpet District, where the de-facto complainant's daughter is studying IX Standard. It is alleged that the petitioner had sexually assaulted the de-facto complainant's daughter. Hence, the complaint.

3. The learned Senior counsel appearing for the petitioner submitted that the petitioner has been working as a part time Physical Training Teacher at Okkiyam Thoraipakkam Government School, Chengalpet District for the past 10 years. The petitioner is an innocent person and has an unblemished career record. He further submitted that previously, there is no such complaint as against the



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petitioner. On the complaint given by the de-facto complainant with the Head Mistress of the said school, they conducted detailed enquiry and stated that no such allegations were took place and all the teachers and students are supporting the petitioner and their statements are also in his favour. Therefore, the petitioner has been falsely implicated in this case. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that the petitioner being a Physical Education Teacher sexually assaulted a minor girl aged about 13 years, who is studying IX standard at the time of occurrence. He also produced the statement recorded under Section 164 Cr.P.C. and vehemently opposed to grant anticipatory bail to the petitioner.

5. Heard the learned Senior counsel appearing for the petitioner and the learned Additional Public Prosecutor and perused the materials available on record.



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6. On perusal of the 164 statement, it reveals that the victim was directed by the petitioner to sports room, wherein he had committed penetrative sexual assault on the victim girl. However, the victim could not able to disclose it to her parents and she refused to go school. Therefore, her parents obtained the transfer certificate from the said school and try to get admission at some other school, but they could not get admission. Therefore, they re-admitted the victim in the same school. Only thereafter, the victim disclosed that the petitioner had committed sexual assault on her on so many occasions.

7. On the direction of this Court in 01.08.2022, the victim girl present before this Court today and this Court enquired her in the chamber and she categorically deposed that the petitioner committed penetrative sexual assault on her over 4 to 5 times in the sports room. However, she was not able to disclose the same to her parents and as such, she refused to go to school, therefore her parents obtained TC and tried to get admission in some other school. However, she could not get any admission in some other school, the victim was admitted in the same school and only thereafter, she discloses the occurrence.



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8. Taking into consideration the facts and circumstances of the case, the petitioner had committed very serious offence as against the victim girl, aged about 13 years, therefore, the custodial interrogation of the petitioner is very much required in this case. Hence, this Court is not inclined to grant anticipatory bail to the petitioner.

9. Accordingly, this Criminal Original Petition stands dismissed.

05.08.2022

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