



CrI.O.P.No.30868 of 2022

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T.V.THAMILSELVI,J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 11(1) and 12 of POCSO Act, 2012 in Crime No.268 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that petitioner, who is working as Zoology Teacher at Kaveripakkam Girls Higher Secondary School and the victim girl is aged about 17 years, who is studying 12th standard in the same school. On 25.11.2022, at about 09.20 a.m., the petitioner called her in a drunken mode, but the victim did not respond to the call and went to classroom. However, on the same day, the petitioner intercepted the victim and abused her in filthy language. Due to which, the victim refused to go to school. When the parents enquired her, she revealed the incident to her parents. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner has not committed any such offence as alleged by the prosecution and he has been falsely implicated in this case. He would further submit



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that the petitioner is ready and willing to abide by any stringent condition as imposed by this Court. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) would submit that on 25.11.2022, at about 09.20 a.m., the petitioner called the victim girl in a drunken mode, but the victim did not respond to the call and went to classroom. However, on the same day, the petitioner intercepted the victim and abused her in filthy language. Hence, he vehemently opposed for grant of anticipatory bail to the petitioner.

5. Heard the learned counsel and perused the materials available on record. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Sessions**



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Judge, Special Court for Exclusive Trial of Cases under POCSO Act,

Vellore, Vellore District, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and 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;

[b] the petitioner shall report before the respondent Police as and when required for interrogation and he shall not communicate the victim through any mode till the disposal of the case ;

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



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

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[e] 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]**;

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

7. The District Educational Officer, Vellore District is advised to transfer the petitioner to any other Government Boys' Higher Secondary School, Vellore District.



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16.12.2022

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