

Crl.O.P.No.31764 of 2022**T.V.THAMILSELVI, J.**

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The petitioner who apprehends arrest for the alleged offence under Section 10 of the Protection of Children from Sexual Offences (POCSO) Act in Cr.No.290 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner/A1 was working as a drawing teacher in Savarirayalu Girls High School, Needarajapayer Street, Puducherry. Defacto complainant/Head mistress of the aforesaid School. The petitioner who had allegedly misbehaved with the school students and also uttered filthy language. Thereby, the defacto complainant lodged a complaint against the petitioner.

3.The learned counsel appearing for the petitioner submits that the petitioner has not committed any offence as alleged by the prosecution. He further submits that he has been falsely implicated in this case. He would further submit that based on the complaint given by the defacto complainant/Head mistress, the petitioner was suspended from School. Hence, he prays to grant anticipatory bail to the petitioner.

4.The learned Public Prosecutor (Pondicherry) appearing for the



respondent submits that petitioner was always goes to the School in a inebriated condition and abuses the students with an unparliamentary words. He further submits that the investigation has been completed. He opposed for granting anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and the submissions made by the learned counsel for the petitioner and the learned Public Prosecutor (Pondicherry), the petitioner has been suspended from the School and the investigation has been completed. Hence, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned *Special Judge (POCSO) Court at Pondicherry* 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 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 Court concerned 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 on every Saturday at 10.30 a.m. for a period of three months and thereafter, as and when required for interrogation;

(c)the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d)the petitioner shall not abscond either during investigation or trial;

(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 anticipatory 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;

(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

23.12.2022

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To
The Hon'ble Special Judge (POCSO) Court at Pondicherry

T.V.THAMILSELVI, J.



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