



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 27/01/2022
PRESENT

The Hon`ble Mrs.Justice R.THARANI
CRL OP(MD) . No.1445 of 2022

WEB COPY

Christopher Jeba Kumar

... Petitioner/Accused

Vs

The State Rep. by
The Inspector of Police,
Thisayanvilai Police Station,
Tirunelveli District.
(Crime No.510 of 2021)

... Respondent/Complainant

For Petitioner : M/s.R.Anand,
Advocate.

For Respondent : Mr.S.S.Madhavan,
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For Bail in Crime No.510 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused herein, who was arrested on 07.01.2022 for the alleged offence under Section 11 (i) (iv) r/w 12 of Protection of Children from Sexual Offence Act and 506(i) of IPC, in Crime No.510 of 2021, on the file of the respondent police, seeks bail.

2.The case against the petitioner is that he misbehaved with the 11th standard student. Hence, the case has been registered against the petitioner.

3.On the side of the petitioner, it is stated that the complaint consists of three allegations. One is that the petitioner appreciated the appearance of the victim who was wearing a Saree. The second allegation is that in the month of July 2021 the petitioner advised the victim to setright her dress. The third allegation is that on 23.12.2021 the petitioner sent whatsapp message wherein the petitioner advised her to wear dress in a proper manner and to be a roll model in the school. There was no sexual intention for the petitioner. Only to correct the way of dressing, the petitioner has advised the victim girl to come dressed in a



proper way. The petitioner himself is having three daughters. Two of them are College students and one of them is working in Post Office. The Institution is under the control of CSI machinery. The newly elected Administrative group assumed charge and they are taking vengeance on the teachers who supported the other group, in one way or other way. They cornered the petitioner and has filed this false complaint. The police after enquiry were about to close the complaint. At that time, the school authorities suspended the petitioner from service and sent a copy of the suspension order to the respondent police. The respondent on that basis registered an FIR. The petitioner was already suspended from service and there is no possibility of him to attend the school and there was no chance for him to harass anybody or tampering the witness and prayed the petitioner to be released on bail.

4. On the side of the respondent it is stated that the petitioner is a Headmaster of a School. The girl is only 16 years old studying 11th Standard. She is a poor girl and could not pay the fees. The petitioner asked for her a photo wearing saree and sent message stating that he liked her. A teacher also gave a statement. Statement under Section 164 Cr.P.C of the victim girl was also recorded and prayed the petition to be dismissed.

5. By way of reply on the side of the petitioner, it is stated that these things are not mentioned in the FIR. The prosecution is developing the story. The petitioner has taken efforts to control the student and to maintain the orderliness in the school. The complaint was given only after three months and prayed the petition to be allowed.

6. It is seen that the petitioner was arrested on 07.01.2022 and is in custody for the past 20 days. Considering the nature of the offence and considering the period of incarceration, this Court is inclined to grant bail to the petitioner with certain conditions.

7. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing a personal 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 learned Sessions Judge, Special Court for POCSO Act Cases, Tirunelveli and on further condition that the petitioner shall stay at Chennai and report before the Inspector of Police, Saidapet Police Station, Chennai daily at 10.30 a.m. for a period of thirty days.

sd/-
27/01/2022

/ TRUE COPY /

/ /2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

- 1 THE SESSIONS JUDGE,
SPECIAL COURT FOR POCSO ACT CASES,
TIRUNELVELI.
- 2 THE INPSECTOR OF POLICE
THISAYANVILAI POLICE STATION,
TIRUNELVELI DISTRICT.
- 3 THE SUPERINTENDENT,
CENTRAL JAIL, PALAYAMKOTTAI.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO:

THE INSPECTOR OF POLICE,
SAIDAPET POLICE STATION,
CHENNAI

+1. CC to M/S. ANAND.R. Advocate SR.No.444

ORDER
IN
CRL OP(MD) No.1445 of 2022
Date :27/01/2022

SS/PN/SAR-IV/27.01.2022 : 3P/7C