



Crl.O.P.No.4664 of 2023

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A.D.JAGADISH CHANDIRA,J.

The petitioner, who was arrested and remanded to judicial custody on 01.04.2022, for the offences punishable under Sections 294(b), 342, 506(i), 307 of IPC r/w 5(l), 5(m), 6, 9(l), 9(m), 10 of Protection of Children from Sexual Offences Act, 2012, and Section 75 of the Juvenile Justice (Care and Protection of Children) Act, 2015, in Crime No.6 of 2022, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the accused, who was working as a Maths teacher in a school, has misbehaved with the daughter of the de-facto complainant, who was studying 5th standard and also with other students, aged about 10 to 11 years. Hence the case.

3. Learned Counsel for the petitioner submitted that this is the fourth application for bail filed by the petitioner and this Court had dismissed the earlier bail applications of the petitioner filed in Crl.O.P.Nos.11639,



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15163 & 24980 of 2022 vide orders dated 06.06.2022, 01.07.2022 & 17.10.2022 respectively. He further submitted that the petitioner was awarded a meritorious certificate for the best teacher and he has been rendering an unblemished service as a Mathematics teacher without any adverse remarks of that locality for the past several years. He also submitted the petitioner has refused to induct the de-facto complainant in the Management Committee, due to which, she gave a false complaint against the petitioner using her daughter. He further submitted that the petitioner is suffering from severe diabetes and he has also produced the medical report to that effect. He also submitted that the petitioner is in custody for more than 10 months and he is prepared to abide by any stringent conditions that may be imposed by this Court. Hence, he prays for grant of bail to the petitioner.

4. Learned Additional Public Prosecutor appearing for the respondent police submitted that it is the case, where, the petitioner by misusing her position as a teacher, had misbehaved with more than 15 girls studying in his school. He further submitted that this is the petitioner's fourth application for bail and this Court, after perusing the materials available on



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record including the statement recorded from the victim girl under Section 164 Cr.P.C., finding that it is a very serious offence, had dismissed the earlier applications and there is no change of circumstances. He further submitted that the case has been taken up on the file in Spl.S.C.No.109 of 2022 pending before the learned Sessions Judge, Special Court for Exclusive trial of cases under POCSO Act, Villupuram and the case now stands posted for framing of charges on 12.04.2023. However, he vehemently opposed for grant of bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondent and perused the entire materials available on record including the statement recorded from the victim girl under Section 164 Cr.P.C.

6. Taking into consideration the submissions made by either side of the parties, this Court is of the view that this Court, after finding that the petitioner had committed very serious offence, had dismissed the earlier bail applications filed by the petitioner in Crl.O.P.Nos.11639, 15163 & 24980 of



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2022 vide orders dated 06.06.2022, 01.07.2022 & 17.10.2022 respectively, with a direction to complete the trial within a period of six months from the date of receipt of a copy of that order.

7. Therefore, in view of the above facts and circumstances and also finding that there is no change of circumstances, this Court is not inclined to grant bail to the petitioner. Accordingly, the Criminal Original Petition stands dismissed. However, the learned trial Judge is directed to strictly comply with the order passed by this Court in Crl.O.P.No.24980 of 2022 dated 17.10.2022.

15.03.2023

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