



Crl.OP.No.20380 of 2023

Crl.O.P.No.20380 of 2023

G.CHANDRASEKHARAN.J.,

The petitioner namely Raja, who was arrested and remanded to judicial custody on 11.08.2023 for the offence punishable under Sections 9(f)(m) r/w 10 of POCSO Act 2012 in Crime No.8 of 2023 on the file of the respondent police, seeks bail.

2. The learned counsel for the petitioner submitted that, petitioner is falsely implicated in this case in Crime No.8 of 2023 for the offences under Sections 9(f)(m) r/w 10 of POCSO Act 2012 at the instigation of his co-staff, who were not in good relationship with him. Petitioner is in judicial custody from 11.08.2023. Thus, he seeks for grant of bail to the petitioner.

3. In response, Learned Additional Public Prosecutor, opposes this bail petition, on the ground that, defacto complainant gave a complaint alleging that, her daughter/victim girl was studying 5th standard in Panchayat Union primary school, Karungallur, Salem District. The school Head Master petitioner/accused Raja asked the



CrI.OP.No.20380 of 2023

victim girl to give massage to him for his hands and legs. When the victim girl refused, he pinched her on her stomach and her thighs. On 10.08.2023, defacto complainant saw a crowd gathered in the school. When enquired, she came to know that petitioner had misbehaved with the school children. Then she gave this complaint. Section 164 Cr.P.C statement of the victim girl was recorded and medical examination was also over. The investigation in this case is still pending. Thus, he prays for dismissal of this bail petition.

4. Considered the rival submissions and perused the records.

5.1 The reading of the statement of the victim girl recorded under Section 164 Cr.P.C shows that, petitioner used to pinch the victim girl's stomach and thighs. He forced the victim girl to watch bad videos with him. She refused to see the video. He asked the victim girl to give massage to his hands and legs. When she refused, he pinched her using a pencil at her hands and stomach. He used abusive language against her and followed her to the rest room and took video. When she visited his office to show her home work, he used to watch videos and he used to



Crl.OP.No.20380 of 2023

take videos. Once, the victim girl saw a co-student giving massage to him for his hands and legs. When another girl refused to give massage, he kicked her. When she informed this to her teacher, she asked her to inform this to the BO, when he comes to school. Accordingly, she informed him.

5.2. The Statement of the victim girl recorded under Section 164 Cr.P.C clearly shows that, petitioner had indulged in committing sexual harassment against the victim girl. Being a Head Master, he was supposed to be a role model for the school children and teachers, but he indulged in activities, which is inappropriate for his position as Head Master. Investigation in this case is not completed.

6. In such circumstances, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

20.09.2023

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Crl.OP.No.20380 of 2023

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Crl.O.P.No.20380 of 2023

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