



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.03.2023

PRESENT

WEB COPY

THE HON'BLE MR.JUSTICE A.D.JAGADISH CHANDIRA

CRL.O.P(MD)No.4182 of 2023

S.Sathiyasekaran

...Petitioner/Sole Accused

-vs-

The Inspector of Police,  
AWPS Paramakudi,  
Ramanathapuram District  
(Crime No.4 of 2023)

...Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 438 of Cr.P.C, praying to enlarge the petitioner on bail in the event of his arrest by the respondent Police with respect to Cr.No. 4 of 2023.

For Petitioner

: Mr.R.Gandhi  
Senior Counsel

For Respondent

: Mr.K.Sanjai Gandhi  
Government Advocate (Crl.side)

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### O R D E R

The petitioner, who apprehends arrest at the hands of the respondent Police for the offences punishable under Sections 294(b), 354A and 506(ii) IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act r/w Section 67 of Information Technology Act, 2000 in Crime No. 4 of 2023 on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution, as per the de-facto complainant xxxx is that she is studying in xxxx Government Arts College and the petitioner is working as the Assistant Professor in the said College. On 10.02.2023, when the defacto complainant called the petitioner over phone, he had used filthy language about her as well as other students and thereby she sought for action against him. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent and a false complaint has been given. He



would also submit that when the petitioner had found several students in the bus standing along with male students, he reprimanded them and also informed them to bring their parents and thereby, the victim girl has given a false complaint as if the petitioner has abused them with filthy language. He would also submit that the petitioner has been working in the College for more than 10 years without any blemish and he is ready to abide by any condition that may be imposed by this Court on him. He would pray for grant of anticipatory bail.

4.The learned Government Advocate (Crl.side) would submit that the petitioner is working as the Assistant Professor in the College and he had spoken to the students in a obscene manner through phone and he would oppose for grant of anticipatory bail.

5. Heard and perused the materials available on record.

6.Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7.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 Judicial Magistrate, Paramakudi, 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 everyday at 10.30 a.m until further orders.

[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 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.

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sd/-  
03/03/2023

/ TRUE COPY /

/03/2023

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

CM

TO

- 1 THE JUDICIAL MAGISTRATE,  
PARMAKUDI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
RAMANATHAPURAM DISTRICT.
- 3 THE INSPECTOR OF POLICE  
AWPS PARAMAKUDI, RAMANATHAPURAM DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+2. CC to GANDHI ASSOCIATES Advocate SR.No.3315(I) & 3340(I)

ORDER  
IN  
CRL OP(MD) No.4182 of 2023  
Date :03/03/2023

VA/SKN/SAR-4/(09.03.2023)/3P/7C