



CRL OP(MD). No.12687 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.12687 of 2023

Arul Jeevan

... Petitioner/Sole Accused

Vs

State, represented by
The Inspector of Police,
All Women Police Station,
Colachel, Kanyakumari District.
(Crime No.16 of 2023).

... Respondent/Complainant

For Petitioner : Mr.N.Sekar,
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.16 of 2023 on the file of the Respondent Police

ORDER : The Court made the following order :-

The petitioner/Sole Accused, apprehending arrest at the hands of the
respondent Police for the alleged offence punishable under Sections 7, 8, 9(f), 10 of



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POCSO Act, 2012, in Crime No.16 of 2023 on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution in brief:

The defacto complainant lodged a complaint stating that his son namely Arya, studying 8th standard in Government Higher Secondary School, Kannatuvilai. He was friendly with the accused. On 14.06.2023, the accused sexually misbehaved with the son of the defacto complainant. Because of the above said misbehaviour, he sustained injury in his private part. On the basis of the above said information, the defacto complainant made a complaint with the Head Master of the said School on 20.06.2023. But, no action was taken by him. Later, he has given a complaint against the petitioner before the respondent Police.

3. The learned counsel for the petitioner submitted that false complaint has been given against the petitioner. Even during the course of preliminary enquiry, no proper steps were taken to see the CCTV footage and examined any of the staff members or co-workers.



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4. CD file was called for and perused. Perusal of CD file shows that not only the son of the defacto complainant has been sexually abused by this petitioner, several persons have been abused. Statement of this petitioner was recorded during the course of investigation. Apart from that statement under Section 164(3) Cr.P.C., was also recorded from the victim and he has also narrated the events.

5. Being a Teacher, the petitioner ought to have behaved with the students in a proper manner. But misusing his position, it appears that he sexually abused more than one victims. Hence, this petition deserves dismissal and accordingly dismissed.

sd/-
12/07/2023

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/08/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

1. The Inspector of Police,
All Women Police Station,
Colachel, Kanyakumari District.



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2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN
CRL OP(MD) No.12687 of 2023
Date :12/07/2023

RK/DD (29/08/2023) 4P /3 C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023