

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO.2026 OF 2023**

Rajesh Ved Pandiyan	...Applicant
<i>Versus</i>	
The State of Maharashtra	...Respondent

Mr. Harshad M. Inamdar for Applicant
Ms. Veera Shinde, APP for Respondent-State.

CORAM: MADHAV J. JAMDAR, J.

DATE: 1st February 2024

P.C. :

1. Heard Mr. Inamdar, learned Counsel appearing for the Applicant and Ms. Shinde learned APP.
2. This regular Bail Application is preferred under Section 439 of the *Code of Criminal Procedure, 1973*. The relevant details are as follows:

1.	C. R. No.	13 of 2023
2.	Date of registration of F.I.R.	8th January 2023
3.	Name of Police Station	Barshi City Police Station, Solapur Rural
4.	Section/s invoked	354-D and 506 of I.P.C., 1860, 8 and 12 of POCSO, 2012.
5.	Date of incident	20th December 2022 - 8th January 2023.
6.	Date of arrest	8th January 2023

3. As per the prosecution case, the Applicant is a teacher in the School where the victim was enrolled. The Applicant is aged around 43 years and the victim is aged around 14 years and is in the 8th standard. The Applicant was the victim's 'class teacher' and was teaching English language. From 20th December 2022 onwards till lodging of F.I.R. i.e. till 8th January 2023, the Applicant sent several indecent messages to the victim.

4. It is the allegation in the complaint that the Applicant used to contact the victim via phone call every day about 2 to 4 times, and he was talking with her in an indecent language. Ultimately, on 8th January 2023 he called the victim on cellphone on about 9 occasions and as the victim did not answer his phone calls, he sent threatening message that he would kill himself if she did not speak with him. Therefore, ultimately the victim informed about the same to her parents and thereafter the F.I.R. was lodged on 8th January 2023.

5. The factual position on record as reflected from various statements recorded, clearly shows that a teacher aged 43 years was sexually harassing the victim aged 14 years. The offence is

serious in nature and is punishable under Section 12 of the *Protection of Children from Sexual Offences Act, 2012* and under Sections 354(d) and 506 of the *Indian Penal Code, 1860*.

6. Apart from that, there is an antecedent where the allegation is that the Accused has committed rape upon a minor girl who was also student in his class.

7. In view of above, this is not a fit case for grant of bail. The Bail Application is rejected and disposed of accordingly.

BHALCHANDRA
GOPAL
DUSANE

(MADHAV J. JAMDAR, J.)

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