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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.04.2024

CORAM

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Crl.O.P.No.9487 of 2024

S.Kulasegaran

... Petitioner

Vs.

State Rep by.
The Inspector of Police,
Kadamparai Police Station,
Coimbatore District.
Crime No. 11 of 2024.

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to grant bail to the petitioner/accused in crime No. 11 of 2024
pending on the file of the respondent police.

For Petitioner : M/s.R.Radhapandian
For Respondent : Mr.Meganathan
Government Advocate (Crl. side)



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ORDER

The petitioner, who was arrested and remanded to judicial custody on **20.03.2024** for the alleged offences punishable under Sections **354(B) IPC and 4 of (TNPBW)TN Prohibition of Harassment of Women Act, 2002, in crime No. 11 of 2024** on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant was working as an escort to the students who are studying in School. On 20.03.2024, while taking photo copies in the Head Master room, the defacto complainant was molested by the petitioner. Hence the case.

3. The learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case and he is an innocent person. Further, he submitted that the petitioner was working in the said school for more than 15 years with unblemished service. Learned counsel prays to grant anticipatory bail to the petitioner.

4. On the other side, the learned Government Advocate (Crl. side) submits that the while taking photo copies in the Head Master room, the defacto complainant was molested by the petitioner. However, he raised objection to grant bail.



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5. Considering the period of incarceration undergone by the petitioner and also the petitioner working as teacher for more than 15 years in the said School. Further, the investigation is almost completed. Hence, this Court is inclined to grant bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with **two sureties (one must be a blood surety)**, each for a like sum to the satisfaction of the **learned District Munsif-cum-Judicial magistrate Court, Valparai**, and on further conditions that:

[a] 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 every Saturday at 10.30 a.m., until further order.



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[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with evidence or witness 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 abscond, a fresh FIR can be registered under Section 229A IPC.

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T.V.THAMILSELVI,J.

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To

1. The Munsif-cum-Judicial magistrate Court, Valparai.

2. The Inspector of Police,
Kadamparai Police Station,
Coimbatore District

3. The Sub jail, Pollachi.

4. The Public Prosecutor,
High Court of Madras.

CrI.O.P.No.9487 of 2024

18.04.2024