



CrI.O.P.No.10759 of 2024

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T.V.TAMIILSELVI, J.,

The petitioner, who apprehends arrest for the alleged offence under Section 11(1) r/w 12 of POCSO Act in Crime No.10 of 2024 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is working as Assistant Professor at Government Arts and Science College at Gandhi Nagar and the victim girl is a student studying B.Sc first year in the same college. On 02.04.2024, there was a practical exam and the petitioner who had gone to the class room of the victim girl as an Invigilator, has asked the phone number of the victim girl and has touched her inappropriately and also has asked her to come and meet him personally so that he would give practical marks. Therefore, the uncle of the victim girl had lodged a complaint against the petitioner.

3.The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he prays to grant anticipatory bail to the petitioner.



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4.The learned Government Advocate (Crl. side) appearing for the respondent states that the petitioner who is working as Assistant Professor in the College of the victim girl, while he had gone as an Invigilator to the practical exam, has asked the phone number of the victim girl and also touched her inappropriately with wrong intention. Further, the petitioner has asked her to come and meet him personally so that he would give practical marks and threatened her not to disclose the same to any. He further submits that the statement of the victim girl has also been recorded under Section 164 Cr.P.C. and the investigation is almost completed. Hence, he vehemently opposed for granting anticipatory bail to the petitioner.

5. Considering the nature of case and also taking into consideration that the investigation in this case is almost completed and the statement of the victim girl has also been recorded under Section 164 Cr.P.C., this Court is inclined to grant anticipatory bail to the petitioner.

6.Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order, before



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the learned Special Judge for exclusive trial of cases under POCSO Act, Vellore, 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 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 Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b)the petitioner shall appear before the respondent police on every Tuesday and Saturday for a period of eight weeks and thereafter as and when required for interrogation;

(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;



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(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 anticipatory 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]***; and;

(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

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