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CRL O.P. No.21013 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 29.08.2024

CORAM

THE HON'BLE MR.JUSTICE P.DHANABAL

CRL OP.No.21013 of 2024

S.Ravichandran

... Petitioner / Accused

Vs

State rep. by:-

The Inspector of Police,
All Women Police Station,
Kangayam, Tiruppur District.

(Crime No.22 of 2024)

... Respondent

PRAYER: - The Criminal Original Petition is filed under Section 483 of The Bharatiya Nagarik Suraksha Sanhita, 2023, praying to enlarge the Petitioner on bail in Crime No.22 of 2024 on the file of the respondent police.

For Petitioner : Mr.N.Stalin

For Respondent : Mr.S.Vinoth Kumar
Government Advocate
[Criminal side]



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ORDER

The Petitioner, who was arrested and remanded to judicial custody on 24.07.2024, for the offences punishable under Sections 11 r/w 12 of POCSO Act, in Crime No.22 of 2024, on the file of the respondent, seeks bail.

2.The case of the prosecution is that the defacto complainant is the Teacher in Muthur Government Higher Secondary School, Tiruppur District and the petitioner is the Tamil Teacher in the same School. While so, on 02.07.2024, the students studying 8th standard reported a complaint against the petitioner that he has misbehaved with the students. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that in order wreck vengeance against the petitioner, the defacto complainant induced the students and gave a false complaint. He would further submit that the petitioner has been in



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custody for more than 30 days. Hence, the petitioner prays to grant bail to the petitioner.

4. The learned Government Advocate (Crl. Side) for the respondent would submit that the petitioner has misbehaved with the students studying in his School. He would further submit that the statements of the victim were recorded and investigation has been almost completed. However, he vehemently opposed to grant bail to the petitioner.

5. Heard both side learned counsel and perused the materials available on record.

6. Considering the representation made by both side learned counsel and considering that the statements of the victim were already recorded, investigation is almost completed and no previous case is pending against the petitioner and also the number of days of incarceration undergone by the petitioner and all other aspects, this Court is inclined to grant bail to the petitioner subject to the following conditions:



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[a] Accordingly, the Petitioner is ordered to be released on bail on condition to 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 **I ADJ, Sessions Judge (FAC), Mahalir Neethimandram (FTMC), Tiruppur**, and on further conditions that:

[b] the Petitioner shall report before the Special Court for Exclusive Trial of Cases under POCSO Act, Tiruppur, on every working day at 10.30 a.m., until further orders.

[c] the Petitioner shall not commit any offences of similar nature.

[d] the Petitioner shall not abscond either during investigation or trial.

[e] the Petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] On breach of any of the aforesaid conditions, the learned Judicial 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

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To

- 1.The I ADJ, Sessions Judge (FAC),
Mahalir Neethimandram (FTMC), Tiruppur.
- 2.The Inspector of Police,
All Women Police Station,
Kangayam, Tiruppur District.
- 3.Central Prison, Coimbatore.
- 4.The Public Prosecutor, High Court, Madras.



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P.DHANABAL,J

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