



CRL O.P. No.24623 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 03.10.2024

CORAM

THE HON'BLE MR.JUSTICE P.DHANABAL

CRL OP.No.24623 of 2024

1.Anbarasan
2.Muraliraj
3.Sathishkumar
4.Raj Pandi

... Petitioners / Accused 1-4

Vs

State rep. by
The Inspector of Police,
Valparai Police Station,
Coimbatore District.

(Crime No.105 of 2024)

... Respondent

PRAYER: - The Criminal Original Petition is filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, (BNSS) 2023, praying to enlarge the Petitioners on bail in Crime No.105 of 2024 on the file of the respondent police.

For Petitioners : Mr.M.N.Balakrishnan

For Respondent : Mr.S.Vinoth Kumar
Government Advocate
(Criminal Side)



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ORDER

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The petitioners, who were arrested and remanded to judicial custody on 01.09.2024, for the offences punishable under Section 75(1) and 78 of BNS, 2023, and Section 4 of TNPWH Act, in Crime No.105 of 2024, on the file of the respondent seek bail.

2.It is the case of the prosecution that the petitioners, who are working as Lab Assistant, Part Time Professor, NCC Co-ordinator and Skill Trainer in Government Arts College, Valparai, alleged to have misbehaved with the final year studying girl students at various places in College. Hence, the case.

3.The learned counsel for the petitioners seeks permission of this Court to withdraw the bail application as against the petitioners 2 and 3. He would further submit that the petitioners 1 and 4 are innocent and they have been falsely implicated in this case. He would further submit that the petitioners have only advised the students to behave like a proper citizen, hence, a false complaint has been lodged against the petitioners. He would further submit that there is no previous cases against the



petitioners and no complaint has been given against the petitioners 1 and 4. Hence, he prays for grant of bail to the petitioners 1 and 4.

4. The learned Government Advocate (Crl. Side) would submit that the petitioners who are Lab Assistant, Part Time Professor, NCC Coordinator and Skill Trainer in Government Arts College, Valparai, misbehaved with the final year studying girl students at various places in College. He would further submit that there is no previous case against the petitioners. However, he vehemently opposed to grant bail to the petitioners.

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

6. Since the learned counsel for the petitioners sought to withdraw the bail applications of the petitioners 2 and 3, the same is dismissed as withdrawn as against the petitioners 2 and 3. Considering the nature of offences charged against the petitioners 1 and 4, no complaint was given by the affected persons against the petitioners 1 and 4, no previous case



is pending against them and also taking into consideration the period of incarceration undergone by the petitioners 1 and 4, this Court is inclined to grant bail to the petitioners 1 and 4, subject to the following conditions:

[a] Accordingly, the Petitioners 1 and 4 are ordered to be released on bail on condition to execute separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the **District Munsif cum Judicial Magistrate, Valparai**, and on further conditions that;

[b] the Petitioners 1 and 4 shall report before the respondent police everyday at 10.30 a.m., until further orders.

[c] the Petitioners 1 and 4 shall not commit any offences of similar to the offence of which he is accused, or suspected, or of the commission of which he is suspected;

[d] the Petitioners 1 and 4 shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

[e] the Petitioners 1 and 4 shall not abscond 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 Petitioners 1 and 4 in accordance with law as if the conditions have been imposed and the petitioners 1 and 4 released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble



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Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560];

and

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

03.10.2024

ata

To

1.The District Munsif cum Judicial Magistrate, Valparai.

2.Central Prison, Coimbatore.

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

3.The Public Prosecutor, High Court, Madras.



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P.DHANABAL,J.
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