



Crl.O.P.No.26741 of 2024

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P.DHANABAL, J.

The petitioner, who apprehends arrest at the hands of the respondent police, for the alleged offences under Sections 9[f], 9[m] and 10 of POCSO Act 2012 in Crime No.28 of 2024 on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that the petitioner, being the Head Master of the school, had sexually assaulted the victim girl, who is aged about 11 years, studying in Government School, Balapadugai, Thalavady Taluk. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner has not committed any such offence as alleged by the prosecution and a false case has been given against the petitioner. Hence, he prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that the petitioner had sexually assaulted the



victim girl, who is aged about 11 years. He further submitted that investigation is pending and the offences are grievous in nature. Hence, he opposed to grant anticipatory bail to the petitioner.

5. Considering the submissions of both sides and the statement of the victim under section 183 BNSS Act has already been recorded and as per the statement of the victim, no allegation has been made against the petitioner and no previous case is pending against the petitioner, I am inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on 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 the **Mahila Court, Erode** on condition that the petitioner shall execute a separate 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 shall report before the respondent police on



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**every Saturday at 10.30 a.m. for a period of eight weeks and thereafter,
as and when required for interrogation.**

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial;

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

[d] 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 v. State of Kerala [(2005) AIR SCW 5560].

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

25.10.2024

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