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CRL OP NO. 29645 of 2024
IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-12-2024

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA
CRL OP NO. 29645 of 2024

Soundarrajan
S/o.Perumal,
No.3/40, Merkathiyanur,
Matrapalli Village,
Thirupathur District.

Petitioner(s)

Vs

State Rep.By
The Inspector of Police,
Tirupathur Taluk Police Station,
Tirupathur,
Thirupathur District.
(Crime No. 681 of 2024)

...Respondent(s)

Criminal Original Petition filed under Section 482 of BNSS Act, 2023
praying to enlarge the petitioner on bail in the event of his arrest in Crime
No. 681 of 2024 on the file of the Inspector of Police, Tirupathur Taluk
Police Station, Tirupathur, Thirupathur District.

For Petitioner(s):

Vinodh Kumar

For Respondent(s): Mr.S.Santhosh

Govt. Advocate, Crl.Side

ORDER



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Apprehending arrest in connection with Crime No.681 of 2024 registered for the offences punishable under Sections 7 and 8 of POCSO Act, r/w 75 of Juvenile Justice (Care and Protection of Children), the present petition has been filed seeking anticipatory bail.

2. The case of the prosecution is that the accused who is Drawing Master touched the shoulder of the minor victim girl with sexual intention. Hence the case.

3. Pleading innocence on the part of the petitioner, false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. He further submits that the petitioner is a Drawing Master in a school and a false complaint has been foisted against him, He would further submit that the petitioner has nothing to do with the same. Therefore, he prays for grant of anticipatory bail to the petitioner.

4. The case of the prosecution, as put forth by the learned Government



Advocate (Criminal Side) appearing for the respondent police, opposing for grant of bail, is that the accused who is Drawing Master touched the shoulder of the minor victim girl with sexual intent. He would further submit that the statement of the victim girl has also been recorded.

5. Having heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondent Police and perused the materials available on record, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions and accordingly, he is ordered to be released on bail in the event of arrest or on his appearance within a period of fifteen days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate No.II, Tirupathur**, 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 said Magistrate, on further condition that:

[a] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand



automatically cancelled;

[b] the petitioner and 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;

[c] the petitioner shall report before the respondent Police everyday at 10.30 a.m until further orders;

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

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

[f] 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];



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[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

16.12.2024

MSM

To

1. State Rep.By

The Inspector of Police, Tirupathur Taluk Police Station,
Tirupathur, Thirupathur District. (Crime No. 681 of
2024)

A.D.JAGADISH CHANDIRA, J

MSM



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