



Crl.OP.No.5726 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 10.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.5726 of 2025

Thirunavukkarasu

.. Petitioner

Vs.

The State rep by
The Inspector of Police,
AWPS, Dharmapuri
Dharmapuri District.
(Crime No.31 of 2025)

.. Respondent

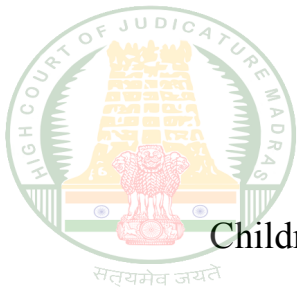
PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the
event of his arrest in Crime No.10 of 2025 on the file of the respondent
Police.

For Petitioner : M/s.Sakkarapani V

For Respondent : Mr.S.Santhosh
Government Advocate(Crl.Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent
police for the offences punishable under Section11(1), 12 of Protection of



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Children from Sexual Offence Act, 2012 & Section 75 of the Juvenile Justice (Care and Protection of Children) Act, 2015 in Crime No.10 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner is working as Headmaster in School; that the victims studying in 9th standard in the said School had stated that the Maths Teacher used to watch obscene videos in the class room while taking attendance and inappropriately used to throw chalk piece on the breast of the victims and used to open his pant zip in front of the victims; that the petitioner, as a Headmaster had not taken any action even after the complaint was lodged.

3. The learned counsel appearing for the petitioner submitted that the allegations are false and that no complaint has been lodged to the petitioner and that in any case, custodial interrogation is not required and sought for anticipatory bail to the petitioner.



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4. The learned Government Advocate (Crl. Side) appearing for the respondent police, while opposing the grant of anticipatory bail to the petitioner, reiterated the prosecution case and produced a copy of Section 164 Cr.P.C statement of victim.

5. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.side) for the respondent and perused the materials available on record.

6. The perusal of the Section 164 Cr.P.C statement would show that there is no allegation against the petitioner relating to Sexual harassment. Considering the nature of allegations against the petitioner, this Court is of the view that custodial interrogation of the petitioner is not required for the purpose of investigation. Hence, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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7. Accordingly, the petitioner 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 on which the order copy is made ready, before the **Special Court for Exclusive trial of cases under POCSO Act, Dharmapuri**, 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, failing which, the petition for anticipatory bail shall stand dismissed 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 Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police 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.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the Petitioners in accordance with law as if the conditions have been imposed



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and the Petitioners 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]**;

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

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Index : Yes / No

Internet : Yes / No

dpa

To

1.The Inspector of Police,
AWPS, Dharmapuri
Dharmapuri District.

2.The Special Court for Exclusive trial of cases
under POCSO Act,
Dharmapuri

3.The Public Prosecutor,
Madras High Court,
Chennai.



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SUNDER MOHAN, J.

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