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Crl.O.P.No.6810 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.03.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.No.6810 of 2025

Dhandapani

...Petitioner/Accused

Vs.

State rep by
The Inspector of Police,
Bhavanisagar Police Station,
Erode District.

(Crime No.21 of 2025)

... Respondent

PRAYER: This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioner on bail in Crime No.21 of 2025 on the file of the respondent police.

For Petitioner : Mr.C.S.Saravanan

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl. Side)



ORDER

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2.It is the case of the prosecution that the petitioner was working as a School teacher; that while taking classes, was in the habit of touching the chest, hip and thigh of girl students inappropriately, including the daughter of the defacto complainant and thus committed the aforesaid offences.

3.The learned counsel for the petitioner would submit that the allegations are false and that the petitioner was dismissed from service and that in any case, considering the nature of allegations, period of incarceration, further custody of the petitioner is not required and sought for bail.

4.Per contra, the learned Government Advocate (Crl. Side) reiterated the prosecution case and opposed the grant of bail.



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5.Considering the fact that the petitioner was arrested on 01.02.2025, the fact that he has been suspended from service and he cannot interact with the students any more, and the nature of allegations, this Court is of the view that further custody of the petitioner is not required for the purpose of investigation. Hence, this Court is inclined to grant bail to the petitioner with certain conditions.

6.Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the **Sessions Court, Magalir Neethi Mandram (Fast Track Mahila Court), Erode**, and on further conditions that:

[a] 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 everyday at 10.30 a.m., until further orders;

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



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[d] the petitioner shall not tamper with evidence or witness 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 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]***;

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

11.03.2025

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Copy to:

- 1.The Inspector of Police,
Bhavanisagar Police Station,
Erode District.
- 2.The Sessions Court, Magalir Neethi Mandram, (Fast Track Mahila Court),
Erode.
- 3.District Jail, Gobichettipalayam.
- 4.The Public Prosecutor,
High Court, Madras.



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SUNDER MOHAN, J.

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