



Crl. O.P. No.7580 of 2025

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.04.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.7580 of 2025

Saran

... Petitioner/Accused

Vs.

The State represented by-

The Inspector of Police,
All Women Police Station,
Dharapuram,
Tiruppur District.
(Crime No.22 of 2024)

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the Crime No.22 of 2024 pending investigation on the file of the respondent Police.

For Petitioner : Mr.M.Vijayaragavan

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

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 13.11.2024, seeking bail in Crime



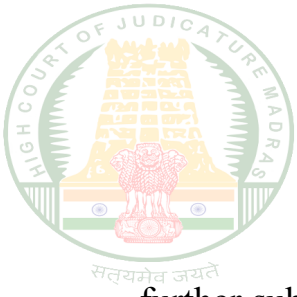
Crl. O.P. No.7580 of 2025

No.22 of 2024 registered for the offence under Sections 7, 8(f), 10, 11(i), 11(iii) and 12 of Protection of Children from Sexual offences Act, 2012 and Section 296(b), 115(2) and 351(2) of BNS, 2023.

2. The case of the prosecution is that the petitioner was working as a warden in the boys hostel and he used to undress the boys during night hours and had committed sexual harassment on 17 victim boys and inducing them to touch his private part and touched their private parts, thus committed the aforesaid offence.

3.Learned counsel appearing for the petitioner submitted that the allegations against the petitioner are false; that since the petitioner was a strict warden, the victim boys have falsely implicated him; that in any case, charge sheet has been filed and charges have also been framed by the Trial Court and that further custody of the petitioner is not required and he may be released on bail.

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

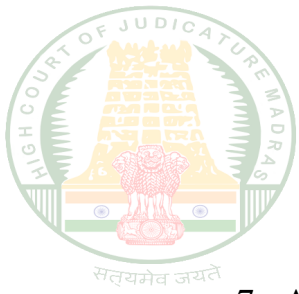


Crl. O.P. No.7580 of 2025

WEB COPY
further submitted a copy of 183(5) BNS statements of the victims which confirms the prosecution case. The learned Government Advocate further submitted that the final report has been filed and the charges have also been framed.

5. Since four victim boys belonged to the SC/ST community and the offences were also altered including the offence under the SC/ST Act, the Court had directed the respondent to inform the four victim boys about the pendency of the instant bail application. Though notice was served on them, none had entered appearance.

6. This Court perused the Section 183(3) BNSS statements of victim boys. The petitioner was arrested on 13.11.2024 and he is in custody for about 5 months. Considering the period of incarceration and the fact that the final report has been filed and charges have also been framed, the fact that the petitioner has now been dismissed from service, 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:



Crl. O.P. No.7580 of 2025

WEB COPY

7. 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 learned **Sessions Judge (FAC), Mahila Neethimandram (FTMC), Tiruppur.**

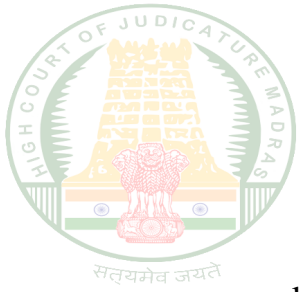
[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall stay at Trichy and report before the Trichy Cantonment Police Station everyday at 10.30 a.m., until further orders, except the hearing dates before the Trial Court. The petitioner shall appear before the Trial Court on all hearing dates;

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

[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



Crl. O.P. No.7580 of 2025

WEB COPY

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.

02.04.2025

rkp

To

1. The Sessions Judge (FAC), Mahila Neethimandram (FTMC),
Tiruppur.
2. The Inspector of Police,
All Women Police Station,
Dharapuram,
Tiruppur District.
3. The Superintendent, Central Prison, Coimbatore.
4. The Public Prosecutor, High Court of Madras.



WEB COPY



Crl. O.P. No.7580 of 2025

SUNDER MOHAN., J.

rkp

Crl.O.P.No.7580 of 2025

02.04.2025