



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.04.2025

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THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.No.13737 of 2025

Srinivasan

...Petitioner/Accused

Vs.

State rep by
The Inspector of Police,
AWPS Sankari Police Station,
Tiruvarur District.
(Crime No.7 of 2025)

...

Respondent

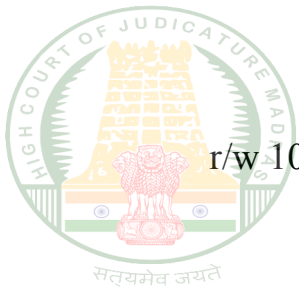
PRAYER: This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioner on bail pending investigation in Crime No.7 of 2025 on the file of the respondent police.

For Petitioner : Mr.T.Muruganantham

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 05.03.2025, seeking bail in Crime No.7 of 2025 registered for the offences under Section 9 (f), 9 (1)



r/w 10 of POCSO Act, 2012.

2.It is the case of the prosecution that the petitioner is the English Teacher of the victim boy aged about 14 years; that on the date of occurrence the petitioner had committed sexual assault by touching the private parts, shoulder and cheeks of the victim boy; that he had also kissed the lips of the victim boy inappropriately; that he had asked the victim boy to press the legs of the petitioner and thus committed the aforesaid offences.

3.The learned counsel for the petitioner would submit that the petitioner is innocent; and that the petitioner is in custody from 05.03.2025 and hence, further custody of the petitioner is not required and sought for bail.

4.Per contra, the learned Government Advocate (Criminal Side) reiterated the prosecution case and submitted that the victim boy is studying IX standard; that the petitioner is the English Teacher and had committed sexual assault on the victim boy. He also produced a copy of the statement of the victim recorded under Section 183 of BNSS, 2023.



WEB COPY 5.Heard the learned counsel on either side and perused the materials available on record.

6.This Court had perused the statement of the victim boy. The statement of the victim boy confirms the fact that the petitioner had committed sexual assault by touching the private parts, shoulder and cheeks of the victim boy. However, considering the nature of allegations, the fact that the final report has been filed and the period of incarceration, this Court is of the view that further custody of the petitioner is not required. Hence, this Court is inclined to grant bail to the petitioner with certain conditions.

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 Judicial Magistrate, Tiruvarur, 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;

[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.

29.04.2025

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Copy to:

The Inspector of Police,
AWPS Sankari Police Station,
Tiruvarur District.

2.The Judicial Magistrate, Tiruvarur.

3.District Prison, Tiruvarur.

4.The Public Prosecutor, High Court, Madras.



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SUNDER MOHAN, J.

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