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CRL OP No. 24777 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-09-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL OP No. 24777 of 2025

1. Mathavan,
s/o. Thangaraj, 72,
Sangaravinayagarkovil Street,
Velipalayam, Nagapattinam.

Petitioner(s)

Vs

1. The State Rep by,
The Inspector of Police
All Women Police Station,
Nagapattinam. (Cr.No.46/2025)

Respondent(s)

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PRAYER

To enlarge the petitioner on bail in connection with the pending investigation in Crime No. 46/2025 on the file of the Respondent Police may deem fit and proper in the facts and circumstances of this case.

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For Petitioner(s): MYTHILISRINIVAS



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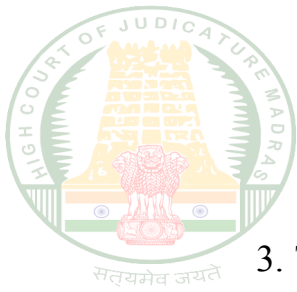
N.Senthil
G.Palanisamy
J.Baranidharan
K.Ranjith
G.Pravin Karthik

For Respondent(s): Mr. A. Gopinath,
Government Advocate criminal
side.

ORDER

This petition has been filed to enlarge the petitioner on bail in connection with the pending investigation in Crime No. 46/2025 on the file of the Respondent Police.

2. The case of the prosecution is that on 04.08.2025 at 04.00 p.m., when the victim child went to staff room to put the Rank Cards, the petitioner called the victim child and asked her what is black on her lip, for which, the child had replied that it is a mole. At that time, the petitioner rubbed the lip of the victim child and hugged her and also asked her whether the petitioner could give kiss to her. Thereafter, the defacto complainant gave a complaint, based on which, the respondent police registered the case under Section 10 r/w 9 (f) of the POCSO Act, 2012 in crime No. 46 of 2025.



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3. The learned counsel for the petitioner submits that the petitioner is the Physical Education Teacher, who questioned the corruption caused by the headmaster and struggling for the welfare of the students. In order to prevent the petitioner permanently, the headmaster of the school created a false case by misleading the victim child. Therefore, the petitioner has been falsely implicated in this case. Hence, he prays to grant bail to the petitioner.

4. The learned Government submits that statement of the victim girl has been recorded. However, the prays to dismiss this petition.

5. Considering the period of incarceration undergone by the petitioner and also the statement of victim has been recorded. Further, the learned counsel submits that the petitioner has been suspended from the service and the investigation has been completed and also there is no previous case pending against petitioner. Hence, this Court is inclined to grant bail to the petitioner with conditions. Further, School Education Department, Nagapattinam, directed to the transfer the petitioner to some other school in the same District.

6. Accordingly, the petitioner is ordered to be released on bail on executing separate bonds for a sum of Rs.10,000/- (Rupees Ten Thousand only)



with two sureties, **in which one surety must be a blood surety** for a like sum

to the satisfaction of the Special Court Under POCSO Act, Nagapattinam, 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 on every Sunday at 10.30 a.m. for the period of three months. Further, the petitioner shall not have any communication with the victim girl.

(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 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]***; and;



(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

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08-09-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To

1. The Special Court under POCSO Act, Nagapattinam.
2. The Inspector of Police, All Women Police Station, Nagapattinam.
3. The Superintendent of Prison, Central Prison, Nagapattinam.
4. The Public Prosecutor, High Court, Madras

Note :-

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the Official Website of this Court will be watermarked and will also have a QR Code.



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T.V.THAMILSELVI J.

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