



WEB COPY



Crl.OP.No.30152 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.11.2025

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

Crl.O.P.No.30152 of 2025

Karthik

... Petitioner

Vs.

State rep by ,
The Inspector of Police,
AWPS, Mylapore,
Chennai District.
(Cr.No.21 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, to enlarge the petitioner on bail in the event of
arrest by the respondent police concerned in Crime No.21 of 2025 pending
on the file of the respondent police.

For Petitioner : Mr.T.Shanmugam

For Respondent : Ms.J.R.Archanna

Government Advocate (Crl. Side)

ORDER



CrI.OP.No.30152 of 2025

The petitioner apprehends arrest for the alleged offence under

Sections 351(2) of BNS r/w 9 (m), 7 r/w 10 r/w 17 of Protection of Child from Sexual Offences Act, 2012 in Cr.No.21 of 2025, on the file of the respondent police seeks anticipatory bail.

2. The allegations against the petitioner is that he is working as a Teacher in a Private School and slowly tried to develop relationship with victim girl, who is studying in the same school. On 03.09.2025, the school children were taken out of school for an awareness programme. While they were returning, this petitioner made the victim to travel with him in the train. Accordingly, the victim was travelling with him in the train. The petitioner had attempted to molest her. However, she get down in the next station and went to her house. It is also alleged that she is not having parents and she is living with her grand parents. At school she has revealed the occurrence to one of her classmates and who in turn, informed the same to the some other class students, and through the class students it was revealed to outsiders.



Later, they have questioned the School Head Mistress about the said incident. Immediately, the School Head Mistress and other teachers had started to convince the victim and requested her not to divulge the information to any other. Due to the intervention of outsiders, the defacto complainant (grand mother of the victim) was called, by the School and they have tried to stop her from lodging the complaint. But, based on advice the third parties, the complaint was lodged and case is registered. Hence, the present case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is working as a Teacher and it is alleged that the alleged occurrence was taken place as early as April 2025 and only in the month of October 2025, case was registered and he further submitted that it is a case of false allegations and even in the allegations revealed also not a case of sexual assault. He further submitted that due to the management dispute and based on the rival groups in the school, the complaint has been lodged



Crl.OP.No.30152 of 2025

against the petitioner, he has not involved in the offence and prays to grant anticipatory bail to the petitioner.

4. The learned counsel for the Intervener submitted that the defacto complainant was forced to run from pillar to post for registering the FIR and the serious allegations of molestation by the petitioner is made out and the same was attempted to be screened by the Head Mistress of the School. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. The learned Government Advocate (Crl.Side) appearing for the respondent police, reiterated the prosecution case and reported that already the Head Mistress of the School/A2 involved in this case has moved anticipatory bail before the POCSO Court and the same has been dismissed and investigation in this case is pending. Hence, he opposed to grant anticipatory bail to the petitioner.



WEB COPY

6. I have gone through the statement recorded from the victim, which revealed that the petitioner is a Teacher while travelling in the train, he touched her inappropriately. It was not immediately reported and due to the intervention of outsiders, FIR has been registered. I am of the view that investigate the case of this nature, custodial interrogation of the petitioner is not necessary hence, I am inclined to grant anticipatory bail to the petitioner, subject to certain conditions

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 (15) days from the date on which the order copy made, before the learned **XXII Metropolitan Magistrate, Egmore** on condition that the petitioner shall execute a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** **with two sureties** each for a like sum to the satisfaction learned Magistrate concerned, and on further condition that:



WEB COPY

Crl.OP.No.30152 of 2025



(a) If the petitioner fails to surrender before the concerned Magistrate within a period of fifteen (15) days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) The sureties shall affix their photographs and left thumb impression in the application for surety ship (Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019]'. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;

(c) The petitioner shall report before the respondent police everyday at 10.30 a.m., for a period of three weeks and thereafter, as and when required for interrogation;

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in *P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560]*;



WEB COPY

Crl.OP.No.30152 of 2025



(e) If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

19.11.2025

Vv

To

1. The XXII Metropolitan Magistrate, Egmore
2. The The Inspector of Police,
AWPS, Mylapore,
Chennai District.
3. The Public Prosecutor
High Court of Madras,
Chennai 600 104.



WEB COPY

CrI.OP.No.30152 of 2025



K.RAJASEKAR, J.

Vv



WEB COPY



Crl.OP.No.30152 of 2025

Crl.O.P.No.30152 of 2025

19.11.2025