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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.11.2025

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.31608 of 2025

Aathish

... Petitioner

Vs.

State rep. by
Inspector of Police,
Central Police Station Tiruppur,
Tiruppur District.
(Crime No.411 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, to enlarge the Petitioners/Accused on bail in Crime
No.411 of 2025 pending on the file of the respondent Police.

For Petitioner : Mr.S.Parameswaran
For Respondent : Mr.A.Gopinath
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody
on 19.09.2025, for the offence punishable under Sections 11(5), 12 of POCSO
Act, 2012 and Section 67B(b) of the IT Act, 2008 in Crime No.411 of 2025,
registered on the file of the respondent, seeks bail.



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2. The case of the prosecution is that the petitioner, being the class teacher, obtained the phone number of victim/student and sent a obscene picture, immediately, it was intimated to the father victim and complaint was registered and the petitioner was arrested.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He also submitted that the petitioner is in Judicial Custody from 19.09.2025 and he is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. In response, learned Government Advocate (Crl. Side) submitted that the case is at the stage of pending investigation. The accused does not have any permanent address in Tiruppur and so, if he released on bail, he might abscond without appearing for the case hearings, making it difficult to trace him and also, there is a threat to the complainant from the accused. Since both the accused and the victim belong to the same area, he might threaten the witnesses and might hamper them. Hence, he strongly opposed to grant bail to the petitioner.



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5. Heard both sides and perused the materials available on record.

6. Taking into consideration, the fact that the petitioner is in Judicial Custody from 19.09.2025, though investigation is pending, this Court is inclined to grant bail to the petitioner.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties**, for a like sum to the satisfaction of the **Sessions Magalir Neethi Mandram Court, Tiruppur**, and on further conditions that:

[a] the sureties shall affix his 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 the identity proofs to ensure their identity;

[b] **the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of three weeks and thereafter as and when required for interrogation;**

[c] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to



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pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283]**;

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

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19.11.2025



To

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1. The Sessions Magalir Neethi Mandram Court, Tiruppur.
2. The Inspector of Police,
Central Police Station Tiruppur,
Tiruppur District.
3. Sub Jail, Tiruppur.
4. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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