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Crl.O.P.No.2444 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.02.2026

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THE HONOURABLE MR.JUSTICE K.RAJASEKAR

Crl.O.P.No.2444 of 2026

M.Kumaresan

... Petitioner

Vs.

The State Rep. by
Inspector of Police,
All Women Police Station,
Dharmapuri District.
(Crime No.63 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of arrest pending investigation in Crime No.63 of 2025 on the file of the respondent police.

For Petitioner	:	Mr.Gopalakrishnan. B
For Respondent	:	Ms.J.R.Archana
		Government Advocate (Crl. Side)

ORDER

The petitioner apprehends arrest for the alleged offence **under Sections 9(1) and 10 of POCSO in Crime No.63 of 2025**, on the file of the respondent police seeks anticipatory bail.

2. The allegation against the petitioner is that the petitioner working as



an English teacher in a school is alleged to have spoken inappropriate conversations with the students, and inappropriately touched some children, and also committed sexual assault. Hence, a case has been registered based on the concern raised by 18 victims.

3. The learned counsel for the petitioner submitted that the petitioner is an English teacher has been falsely implicated in this case due to dispute between the teachers and that it is not a case of sexual assault as alleged in the complaint. He further submitted that he is ready to abide by any stringent condition that may be imposed by this Court and he is ready to co-operate for investigation. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution's case and upon instructions submitted that totally 18 victims in this case and the statement under Section 183 of BNSS is also recorded from them. Hence, she opposed to grant anticipatory bail to the petitioner.

5. I have also gone through the First Information Report and other connected materials available on record including the statement recorded from the victim girl. It revealed that the petitioner inappropriately touched the victim girl and spoken certain words which disturbed the minds of the minor child, hence they have come forward to lodge a complaint. However,



considering the fact that it is not a case of penetrative sexual assault or aggravated penetrative sexual assault, I am of the view that to investigate the case of this nature, custodial interrogation is not necessary. Further it is also stated that the petitioner has already been suspended from the service, I am inclined to grant anticipatory bail to the petitioner subject to certain conditions:

6. 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 ready, before the **Sessions Court (POCSO Cases), Dharmapuri District**, 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 of the learned Magistrate concerned, and on further conditions:

(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

K.RAJASEKAR, J.

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thumb impression in the application for surety ship (Judicial



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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 two 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]***;

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

11.02.2026

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To

- 1.The Sessions Judge, Sessions Court (POCSO Cases), Dharmapuri District.
- 2.The Inspector of Police, All Women Police Station, Dharmapuri District.
- 3.The Public Prosecutor, High Court of Madras.

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