



WEB COPY

CRL MP No. 10400 of 2



Crl.O.P.No.9513 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL MP No. 10400 of 2026

in

Crl.O.P.No.9513 of 2023

Trisha
D/o Arumugam,
residing at No.13, Perumal Street,
Isravel Nagar, Gorimedu,
Puducherry.

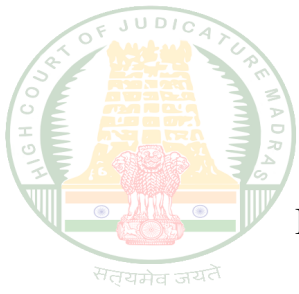
..Petitioner(s)

Vs

1. George Abraham
S/o Abraham,
No. A1 Principal YMCA College Quarters,
Nandanam, Chennai.
2. The State Rep By,
The Inspector of Police
W20 AWPS, Saidapet,
Chennai.
Crime No.1 of 2023

..Respondent(s)

Criminal Miscellaneous Petition filed under Section 528 of BNSS, praying to consider the subsequent developments placed before this Honourable Court in relation to the bail granted to the 1st respondent accused in Crl.OP.No.9513 of 2023 by order dated 04.05.2023 and to cancel the said bail, the continuance of the bail being contrary to and defeating the conditions imposed by this Honourable Court particularly condition No.(d) namely that the petitioner shall not tamper with evidence or witness either during investigation or trail and pass such further or other orders.



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For Petitioner(s):

Mr.Om Sai Ram

For Respondent(s):

Dr.A.Thiagarajan,
Senior Counsel
for Mr.Arunkumar Rajan for R1

Mr.N.Palanivel,
Government Advocate (Crl.Side) for R2

ORDER

This Criminal Miscellaneous Petition has been seeking cancellation of of the bail granted to the first respondent by this Court in Crl.O.P.No.9513 of 2023 dated 04.05.2023 on the ground that the subsequent developments are contrary to the conditions imposed by this Court, particularly condition No.(d), namely, that the petitioner shall not tamper with evidence or influence witnesses either during investigation or trial.

2. The only apprehension raised by the learned counsel for the petitioner is that the first respondent, being the Principal of the School, may influence the witnesses, who are all employees of the School. It is further contended that, taking advantage of the bail granted by this Court, the Management has permitted the first respondent to rejoin duty and, if he continues in service, there is every possibility of tampering with the prosecution witnesses. It is also contended that the victim, being a Student, may be intimidated and may not depose freely before the Trial Court.



3. Per contra, the learned Senior Counsel appearing for the first respondent strongly opposed the said contention and submitted that, pursuant to the order passed by this Court in Crl.O.P.No.9513 of 2023 dated 04.05.2023, the first respondent has been strictly complying with the conditions imposed in paragraph 6 of the bail order. He further submitted that even according to the averments made in the present petition, no specific allegation has been made regarding violation of any of the bail conditions. According to him, the apprehensions expressed by the petitioner are purely based on surmises, conjectures and hypothesis. Hence, he prayed for dismissal of the petition.

4. The learned Government Advocate (Crl. Side) appearing for the second respondent police submitted that, after completion of the investigation, a final report has been filed and the same has been taken on file in S.T.C.No.101 of 2023 on the file of the learned Special Court under the POCSO Act.

5. This Court has given its anxious consideration to the submissions made on either side and perused the materials available on record.

6. It is well settled that the liberty granted to an accused by way of bail should not be curtailed unless compelling circumstances are made out. Equally, it is a settled principle that bail is the rule and jail is the exception. In the present case, as rightly contended by the learned Senior Counsel appearing for the first



respondent, the apprehensions expressed by the petitioner are based only on surmises, conjectures and hypothesis, and no material has been placed before this Court to establish violation of any of the conditions imposed in the bail order. Therefore, this Court is of the firm view that no compelling circumstance is made out to interfere with the liberty granted to the first respondent.

7. Accordingly, this Criminal Miscellaneous Petition stands dismissed.

24-06-2026

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Crl.O.P.No.9513 of 2025

To

1.The Inspector of Police
W20 AWPS, Saidapet,
Chennai.

2.The Public Prosecutor,
High Court, Madras.



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C.KUMARAPPAN J.

**CRL MP No. 10400 of 2026
in
Crl.O.P.No.9513 of 2023**

24-06-2026