

Crl.O.P.No.5634 of 2015**R.SUBBIAH, J.**

Apprehending arrest at the hands of the respondent-police, in respect of the alleged commission of offences punishable under Sections 417 & 376 IPC, in Crime No.1 of 2015, the petitioner has approached this Court seeking the relief of anticipatory bail under Section 438 of the Code of Criminal Procedure.

2.The case of the prosecution is that the complaint was lodged by one Nalini alleging that the petitioner herein, who is an already married man, took the defacto-complainant to Mettupalayam and he forcibly tied thali and and booked a room in a lodge and had physical relationship with her. Further, after returning to Kanchipuram, the petitioner abandoned her.

3.The learned counsel for the petitioner/accused submitted that this is totally a false case foisted against him and he is an innocent person. Thus, he sought for grant of anticipatory bail.

4.The learned counsel for the intervener opposed the grant of anticipatory bail to the petitioner stating that by inducing the intervener, the petitioner herein had forcibly taken her to Mettupalayam and tied thali and had physical relationship with her. After returning to Kanchipuram, the petitioner and his relatives forcibly removed thali and assaulted the intervener and left her on the street.

5.The learned Government Advocate (Crl.Side) has opposed the grant of anticipatory bail to the petitioner stating that the petitioner, who is an already married man, took the intervener to Metupalayam and had physical relationship with her. Further, if anticipatory bail is granted to the petitioner, it will hamper the investigation.

6. I have carefully heard the submissions made on either side and perused the materials available on record.

7.Considering the facts and circumstances of the case and the nature of offence alleged to have been committed by the petitioner, I am of the opinion that this is not a fit case to grant anticipatory bail

to the petitioner. Further, as contended by the learned Government Advocate, if anticipatory bail is granted to the petitioner, it will hamper the investigation which is at initial stage. Hence, I am not inclined to grant anticipatory bail to the petitioner and the petition is liable to be dismissed.

In fine, the Criminal Original Petition is dismissed.

14.07.2015

SSV

R.SUBBIAH, J.

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Pre-delivery order

in

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