



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Monday, the Fourteenth day of December Two Thousand Fifteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP (MD) No.20441 of 2015

JEDISON

... PETITIONER/SOLE ACCUSED

Vs

STATE REP BY THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,VALLIYOOR,
TIRUNELVELI DISTRICT.

CR. NO. 17 OF 2015

... RESPONDENT/COMPLAINANT

SAKUNTHALA

... INTERVENOR

For Petitioner : M/S M.MOHAMED SHERBUDEEN Advocate

For Respondent : MR.K.ANBARASAN Govt. Advocate (Crl. Side)

For Intervenor : MR.D.VENKATESH Advocate

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused in Crime No.17 of 2015 on the file of the respondent police, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 417, 376, 506(ii) of IPC r/w Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act and hence, seeks anticipatory bail.

2. The case of the prosecution is that on giving promise of marriage, the petitioner had sexual intercourse with the defacto complainant. Subsequently, refused to marry her, abused her in filthy language and threatened her with dire consequences.

3.The case of the petitioner is that both the petitioner and the defacto complainant are neighbours and they are in love and at the instigation of the parents of the defacto complainant, the present complaint has been given on 23.09.2015. Subsequently, on 24.09.2015, the petitioner married the defacto complainant and executed a marriage agreement deed in the presence of four witnesses and attested by a Notary Public.

4. The learned counsel for the intervenor submitted the petitioner had sexual intercourse with the defacto complainant by



giving false promise to marry her and due to which, the defacto complainant became pregnant and subsequently, when the defacto complainant approached the petitioner and requested to marry her, the petitioner refused for the same and abused her in filthy language and threatened her with dire consequences. Hence, the defacto complainant gave a complaint on 23.09.2015. After that, the petitioner created a marriage agreement deed dated, 24.09.2015 as though he married the defacto complainant. But, the petitioner did not marry the defacto complainant and is not living with the defacto complainant. He further submitted that the defacto complainant insisted to register the marriage in the office of the Sub-Registrar, but the petitioner refused to do so and therefore, he prayed for dismissal of this petition.

5. When the matter was taken up for hearing on 10.12.2015, there was no representation for the petitioner and hence, the matter was directed to be listed today under the caption "for dismissal".

6. Today the learned counsel for the petitioner appeared and submitted that the petitioner is an innocent person and he has been falsely implicated in this case.

7. Heard the submissions of the learned Government Advocate (Crl. Side) also.

8. Considering the serious allegations made against the petitioner that he created a document as though he married the defacto complainant, this Court is not inclined to grant anticipatory bail to the petitioner. Hence, this Criminal Original Petition is dismissed.

sd/-
14/12/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, VALLIYOORTIRUNELVELI DISTRICT.
- 2 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S M.MOHAMED SHERBUDEEN Advocate SR.No.72086
+1cc to Mr.D.VENKATESH, Advocate Sr.No. 71400

ORDER
IN
CRL OP (MD) No.20441 of 2015
Date : 14/12/2015