



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

Thursday, the Twenty Fourth day of November Two Thousand Sixteen

PRESENT

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The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.10639 of 2016

THIYAGARAJAN

... PETITIONER / SOLE ACCUSED

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
ALANGUDI,PUDUKOTTAI DISTRICT,
CRIME NO.05/2016.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S R.MAHESWARAN, Advocate

For Respondent : M/S.S.PRABHA, Govt. Advocate (Crl. Side)

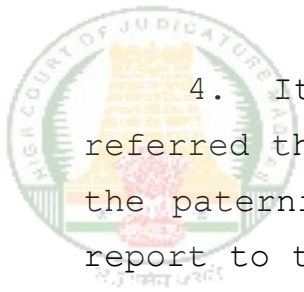
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

Apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 417 and 420 IPC in Crime No.5 of 2016 on the file of the respondent police, the petitioner/Sole Accused has come forward with this petition, seeking anticipatory bail.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondent police.

3. The case of the prosecution is that this petitioner, under the pretext of marrying the defacto complainant, had physical relationship with her, due to which, she became pregnant. It is further alleged that the petitioner, while denying his fatherhood, refused to marry her, which resulted in registration of the case.



4. It is seen that this Court, while granting interim order, referred the matter to the Forensic Sciences Department to ascertain the paternity of the child by conducting DNA test and to submit a report to this Court.

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5. Today, learned Government Advocate (Crl.Side) produced the copy of the DNA report, in which it has been stated that blood samples of the petitioner, the child and the mother were drawn and it was found that the petitioner / Thiyagarajan is the father of the child

6. Taking note of the serious nature of the offences alleged against the petitioner and also based on the DNA report, this Court is not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, this Criminal Original Petition is dismissed. The copy of the DNA report has been returned to the learned Government Advocate (Crl.Side).

sd/-
24/11/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION, ALANGUDI, PUDUKOTTAI DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 3 THE DIRECTOR, FORENSIC SCIENCES DEPARTMENT, KAMARAJAR SALAI, MYLAPORE, CHENNAI-4.

ORDER IN
CRL OP(MD) No.10639 of 2016
Date :24/11/2016

msm/gsv-pm/sar1/20.12.16/p2/4c