



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

Thursday, the Eighteenth day of August Two Thousand Sixteen

WEB COPY

PRESENT

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

CRL OP(MD) No.13840 of 2016

P.BAGAVAN

... PETITIONER/SOLE ACCUSED

Vs

STATE REP. BY

THE INSPECTOR OF POLICE,

ALL WOMEN POLICE STATION, RAMANATHAPURAM

(CR.NO.15/2016)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S. MAHENDRAPATHY Advocate

For Respondent : Mr.P.KANNITHEVAN, Government Advocate (Crl. Side)

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

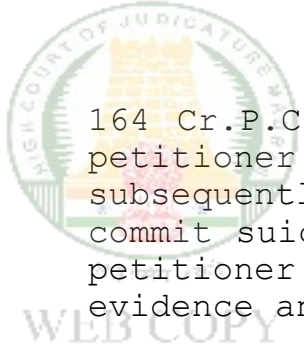
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as sole accused, apprehends arrest at the hands of the respondent police for the offences punishable under Sections 417 and 376(2)(n) IPC, in Crime No.15 of 2016, on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that on a false promise to marry the de facto complainant, the petitioner had sexual intercourse with the de facto complainant on several times and subsequently he refused to marry her. On complaint, a case has been registered for the above said offences.

3.The case of the petitioner is that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution. The petitioner is only a friend of the de facto complainant and she proposed to marry him. But the petitioner refused to marry her. Due to that, a false complaint has been given.

4.The learned Government Advocate (Criminal side) submitted that on a false promise to marry the de facto complainant, the petitioner had sexual intercourse with the de facto complainant and subsequently he refused to marry her. The de facto complainant gave a statement before the learned Judicial Magistrate under Section



164 Cr.P.C., wherein she stated that on promise to marry her, the petitioner had sexual intercourse with her on several times and subsequently he refused to marry her and therefore she tried to commit suicide by taking poison. Investigation is pending. If the petitioner is released on anticipatory bail, he will tamper the evidence and hamper the investigation.

5.Considering the facts and circumstances of the case and also considering the serious nature of allegation levelled against the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner and accordingly this petition is dismissed.

sd/-
18/08/2016

/ 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, RAMANATHAPURAM
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.13840 of 2016
Date :18/08/2016

smn
SH/PV/SAR-I:23.08.2016:2P/3C