



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

Monday, the Eighth day of August Two Thousand Sixteen

PRESENT

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

CRL OP(MD) Nos.14009 and 14045 of 2016

1 PRAVIN
2 SAMRAJ

... PETITIONERS/ACCUSED NO.1-2
IN CRL OP(MD) No.14009 of 2016

ANTONY FLEX

... PETITIONERS/ACCUSED NO.3
IN CRL OP(MD) No.14045 of 2016

Vs

THE STATE OF TAMILNADU REP.BY
THE INSPECTOR OF POLICE
KARUNKAL POLICE STATION,
KANYAKUMARI DISTRICT.
CRIME NO.98 OF 2015

... RESPONDENT/COMPLAINANT
IN BOTH THE PETITIONS

For Petitioner : M/S A.RAJKUMAR SEN Advocate
IN CRL OP(MD) No.14009 of 2016

For Petitioner : M/S R.MOHANASUNDARAM, Advocate
IN CRL OP(MD) No.14045 of 2016

For Respondent : MR.P.KANNITHEVAN, Govt. Advocate (Crl. Side)
IN BOTH THE PETITIONS

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

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as Accused Nos.1 to 3, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 420, 465, 469, 471 IPC read with Section 4 of Women Harassment Act, in Crime No.98 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2.The case of the prosecution is that the first accused-Pravin and the defacto complainant studied B.Sc (Nursing) in the same College. After completion of the course, the first accused wanted to marry the defacto complainant. The parents of the defacto complainant did not agree for the marriage. The first accused frequently contacted the defacto complainant over phone insisting for marriage and threatened her. In the mean while, the marriage of



the defacto complainant was arranged with one Rajkumar, S/o.Mani. The first accused in collusion with A.2 and A.3, created a false certificate with A.4, who is the pastor of Ketsamani Eveangelical Church of India, Thippuramalai, as if the first accused and the defacto complainant were married. With the false certificate, the first accused is threatening the defacto complainant. On complaint, case has been registered against the petitioners.

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3.The case of the petitioners is that both the first accused and the defacto complainant were in love and continued their relationship, even after completing the course. The first accused is hailing from poor family and he is the sole bread winner of the family and both the first accused and defacto complainant were got married on 14.05.2015 at CSI Church, Kirathoor. In order to nullify the marriage between the first accused and the defacto complainant, false complaint has been given against the petitioners.

4.The learned Government Advocate (Criminal Side) submitted that on complaint, case has been registered against the petitioners and the investigation is pending. She would further submit that earlier anticipatory bail petition filed by the third accused in CrI.O.P(MD)No.18255 of 2015 was dismissed as withdrawn by this Court on 29.09.2015. Suprresing the fact, the third accused has come out with the present petition.

5.Considering the serious nature of allegations levelled against the petitioners and also considering the fact that they created false marriage certificate and threatened the defacto complainant and in order to prevent the marriage of the defacto complainant with one Rajkumar and the investigation is pending and the custodial interrogation of the petitioners are required, this Court is not inclined to grant anticipatory bail to the petitioners. Accordingly, these Criminal Original Petitions are dismissed.

sd/-

08/08/2016

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

TO

1 THE INSPECTOR OF POLICE,
KARUNKAL POLICE STATION, KANYAKUMARI DISTRICT.

2 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

PS

CSL/NGM-MP/SAR-III/12.08.2016: 2P/3C

ORDER

IN

CRL OP(MD) Nos.14009 and 14045 of 2016
Date :08/08/2016