



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

Wednesday, the Twenty Eighth day of February Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP(MD) No.3154 of 2018

JOHN JEYAKUMAR

... PETITIONER / ACCUSED No.1

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, ALANGULAM,
TIRUNELVELI DISTRICT .
(CRIME NO.2 OF 2018)

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.S.PALANI VELAYUTHAM Advocate

For Respondent : Mr.SUYAMBULINGA BHARATHI
Govt. Advocate (Crl. Side)

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

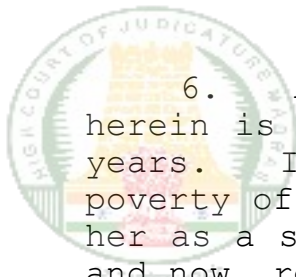
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused no.1, apprehending arrest at the hands of the respondent Police for the offences punishable under Sections 342, 109, 506(i) of IPC and 5(I), 5(j) (ii) and Section 6 of the Protection of Children from Sexual Offences Act, 2012, in Crime No.2 of 2018, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner on giving a false promise had sexual relationship with defacto complainant and subsequently, refused to marry her. Hence, on complaint, a case has been registered against the petitioner.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case and he has not committed any offence as alleged, and pleads for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent, police submitted that the investigation of the case is pending.



6. Admittedly, at the time of occurrence, the petitioner herein is aged about 38 years and the victim girl is aged about 17 years. It is alleged that the petitioner herein after knowing the poverty of the victim girl, making false promise that he would marry her as a second wife, thereby, he got consent from the victim girl and now, refused to fulfill the promise made to the victim girl.

7. Considering the age of the petitioner, this Court came to the conclusion that the offence committed by the petitioner is heinous one. As of now, the investigation of the case is pending, thereby, if this type of petitioner is granted with anticipatory bail, there may be a chance for tampering the witnesses and hampering the investigation.

8. In view of the above, this Criminal Original Petition is dismissed.

sd/-

28/02/2018

/ 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, ALANGULAM,
TIRUNELVELI DISTRICT
- 2 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI,
TIRUNELVELI DISTRICT
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

+1. CC to M/S.S.PALANI VELAYUTHAM Advocate SR.No.52405

trp

JAM/08/03/2018/ CSL / SAR 3/ 2p-5c

ORDER

IN

CRL OP(MD) No.3154 of 2018

Date :28/02/2018