



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

Monday, the Eighteenth day of February Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP (MD) No.2087 of 2019

RAJAN @ RAJA

... PETITIONER /SOLE ACCUSED

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
THANJAVUR TALUK POLICE STATION,
THANJAVUR DISTRICT.
CRIME NO.414/2018

... RESPONDENT / COMPLAINANT

D.PRABA

... PETITIONER/ DE-FACTO COMPLAINANT

For Petitioner : Mr.K.SEEMARAJ, Advocate

For Respondent : Mr.S.CHANDRASEKAR, Additional Public Prosecutor

For Intervenor : Mr.R.RAJARAMAN, Advocate

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

ORDER : The Court Made the following order :-

The petitioner who was arrested on 10.01.2019, for the offence under Sections 406, 420 and 506(i) IPC in Cr.No.414 of 2018, on the file of the respondent police, seeks bail.

2.It is the case of the prosecution that the defacto complainant and the petitioner lived together in Kuwait and the defacto complainant working as Nurse at Kuwait. At that time the petitioner and the defacto complainant married together and lived jointly in the employment place, during that period, the petitioner collected Rs.15,00,000/- from the defacto complainant and left the Kuwait and came to India. Thereafter, the petitioner refused to live with the defacto complainant and arranged for another marriage hence, the defacto complainant demanded the money collected from her, however, the petitioner did not return the money. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit the petitioner did not commit any offence as alleged by the prosecution and he is an innocent person. He would further submit



that the petitioner gave 25 sovereigns of gold to the defacto complainant and he received some amount, however, due to the adamant attitude of the defacto complainant, he left the Kuwait. Hence, he would pray for bail to the petitioner.

4.The learned counsel appearing for the intervenor would submit that the petitioner received a sum of Rs.15,00,000/- for the purpose of constructing house and thereafter, he refused to live with the defacto complainant and did not return the above said amount. Hence, he would pray for dismissal of this petition.

5.The learned Additional Public Prosecutor would submit that investigation is pending.

6.Considering the nature of the case and considering the allegation levelled against the petitioner, I am not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

sd/-
18/02/2019

/ TRUE COPY /

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

TO

1. THE INSPECTOR OF POLICE,
THANJAVUR TALUK POLICE STATION,
THANJAVUR DISTRICT.
2. THE SUPERINTENDENT,CENTRAL JAIL,
TRICHY.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1CC TO Mr.R.RAJARAMAN, Advocate, SR NO.3284

ORDER
IN
CRL OP(MD) No.2087 of 2019
Date :18/02/2019

MS/JC/SAR-4/22.02.2019/2P.5C