



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

Wednesday, the Third day of July Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP (MD) No.8636 of 2019

ARUN

... PETITIONER/SOLE ACCUSED

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE
PAPANASAM ALL WOMEN POLICE STATION,
THANJAVUR DISTRICT
(CRIME NO.3 OF 2019)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.K.M.KARUNAKARAN Advocate
For Respondent : Mr.V.Neelakandan,
Govt. Advocate (Crl. Side)

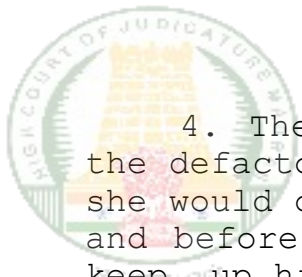
PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

This petition has been filed by the petitioner/ sole accused seeking bail for the alleged offence under Sections 417,376, 294(b), 506(i) of IPC.

2. Heard both sides

3. The learned counsel for the petitioner would submit that the petitioner has been falsely implicated in the above case. He further submitted that even as per the First Information Report ,the petitioner by giving false promise had physical relationship with the defacto complainant and made her pregnant. He further submitted that based on the said complaint First Information Report has been registered and the petitioner was arrested and remanded to judicial custody on 07.05.2019. He further submitted that if the DNA test reveals that if the petitioner is the father of the child, he is ready to marry the defacto complainant and to that effect he has also filed an affidavit . Therefore he prayed to grant bail to the petitioner.



4. The learned Additional Public Prosecutor would submit that the defacto complainant is nine months pregnant and within few weeks she would deliver baby and only thereafter DNA test can be conducted and before that if the petitioner is released on bail, he may not keep up his promise and therefore he strongly opposed to grant bail to the petitioner.

5. Taking into consideration the aforesaid submissions made by the learned counsel for the petitioner that the petitioner is ready to marry the defacto complainant provided the DNA test reveals that he is father of the child and also considering the submission made by the learned Additional Public Prosecutor that the defacto complainant is going to deliver a baby within a few weeks and also the affidavit filed by the petitioner, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this petition is dismissed.

sd/-

03/07/2019

/ TRUE COPY /

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

TO

1. JUDICIAL MAGISTRATE, THANJAVUR
2. DO-TROUGH THE CHIEF JUDICIAL MAGISTRATE, THANJORE DISTRICT.
3. THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.
4. THE INSPECTOR OF POLICE
PAPANASAM ALL WOMEN POLICE STATION,
THANJAVUR DISTRICT
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
- +1. CC to M/S.K.M.KARUNAKARAN Advocate SR.No.10956

ORDER

IN

CRL OP(MD) No.8636 of 2019

Date : 03/07/2019

JM/JC/SAR-1/15.07.2019/2P/7C