



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19/07/2019

WEB COPY

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD). No.8527 of 2019

Kishore Pandian

... Petitioner/Accused No.1

Vs

The State rep.by
The Sub-Inspector of Police,
Gudalur North Police Station,
Theni District.
Crime No.139/2019

... Respondent/Complainant

For Petitioner : M/s.S.Balakarthick,
Advocate.

For Respondent : Mrs.M.Ananthadevi,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory bail in Cr.No.139/2019 on the file of the respondent police.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 417, 376 and 506 (ii) of IPC, in Crime No.139 of 2019, seek anticipatory bail.

2. Heard both sides.

3.The learned counsel appearing for the petitioner has submitted that as per the FIR, the petitioner had sexual intercourse with the defacto complainant by giving false promise that he will marry her and thereafter, he refused to marry her and further, the petitioner along with his family members insisted the defacto complainant to abort the child. He further submitted that the petitioner has not committed any offence and the allegation levelled against the petitioner is a false one and therefore he prays to anticipatory bail to the petitioner.



4.The learned Government Advocate (Criminal side) has submitted that A1 had sexual intercourse with the defacto complainant by giving false promise and thereafter, he refused to marry her and further the defacto complainant become pregnant and on knowing the same, the defacto complainant approached the petitioner's parents and informed them about the aforesaid act of the A1, and requested them to marry her with A1 and for that, the petitioner and his parents told her to abort the child or otherwise they will kill them. In view of the heinous allegation levelled against the petitioner, the custodial interrogation of the petitioner is absolutely necessary and therefore, she opposed this petition.

5.The allegation against the petitioner is that he had sexual intercourse with the defacto complainant by giving false promise and subsequently had sexual intercourse on several occasions and the defacto complainant become pregnant and when the defacto complainant made a request to marry her, the petitioner refused to marry her. In view of the fact that the allegation levelled against the petitioner are serious in nature, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this petition is dismissed.

sd/-
19/07/2019

/ TRUE COPY /

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

TO

1.THE SUB-INSPECTOR OF POLICE,
GUDALUR NORTH POLICE STATION,
THENI DISTRICT.

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

+1. CC to Mr.S.BALAKARTHICK Advocate SR.No.12000

ORDER
IN
CRL OP(MD) No.8527 of 2019
Date :19/07/2019

dss
TK/JC/SAR.4/24.07.2019/2P/4C