



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

Date : 14/08/2019

PRESENT

The Hon'ble Mr. Justice P. RAJAMANICKAM

CRL OP (MD) . No.10839 of 2019

Michcalraj

... Petitioner/Sole Accused

Vs

The Inspector of Police,
All Women Police Station,
Alangulam,
Tirunelveli District,
(Crime No. 9 of 2019).

... Respondent/Complainant

For Petitioner : M/s.V.Angusamy,
Advocate.

For Respondent : Mr.A.P.G.Ohm Chairma Prabhu,
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail in Crime No. 9 of 2019 on the file of the Respondent Police.

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) and 506(i) of IPC

2. Heard both sides

3. The learned counsel for the petitioner would submit that the petitioner is aged about 23 years and the defacto complainant is aged about 20 years and both of them loved for about 1 ½ years and since the parents of the defacto complainant not willing to perform marriage, the marriage could not be performed and aggrieved by the same, the defacto complainant has lodged a false complaint. He further submitted that the petitioner herein was arrested and remanded to judicial custody on 28.06.2019 and he is in custody for the past 47 days. He further submitted that by this time a major portion of the investigation might have been completed. Therefore he prayed to grant bail to the petitioner.



4. The learned Government Advocate(Crl.Side) would submit that the petitioner and the defacto complainant loved each other for the past 1 ½ years and the petitioner had sexual intercourse with the defacto complainant by giving false promise that he will marry her and thereafter refused to marry her. Hence he strongly opposed to grant bail to the petitioner.

5. The First Information Report has been registered based on the complaint given by the defacto complainant. In the said complaint she has stated that the petitioner had sexual intercourse with her by giving false promise that he will marry her and thereafter refused to marry her and subsequently the defacto complainant had reiterated the same allegations in the statement which was recorded under Section 164 Cr.P.C also. The medical report also shows that the defacto complainant was subjected to sexual abuse.

6. Taking into consideration of all the aforesaid allegations, this Court is not inclined to grant bail to the petitioner.

7. Hence, this petition is dismissed.

sd/-
14/08/2019

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE,
ALANGULAM

2 -DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
THIRUNELVELI DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON, TIRUNELVELI.

4 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
ALANGULAM, TIRUNELVELL DISTRICT.

5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADRAS HIGH COURT,
MADRURAI.



+1 CC to M/s.V.ANGUSAMY, Advocate (SR-13559[I] dated 16/08/2019)

WEB COPY

ORDER

IN

CRL OP (MD) No.10839 of 2019

Date :14/08/2019

AAV

ES/JC/SAR 1/21.08.2019/3P/7C