

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.07.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Cr1.O.P.No.3016 of 2020

Gokulkannan

... Petitioner

Vs.

The State Represented by
The Inspector of Police,
Palladam Police Station,
Tiruppur District.
Crime No.1426 of 2019

... Respondent

Prayer: Criminal Original Petition filed under Section 438 Cr.P.C., praying to enlarge the petitioner on bail in the event of his arrest in connection with in Crime No.1426 of 2019, on the file of the respondent, Palladam Police Station, Tiruppur District.

For Petitioner : Mr.P.Kalaimuthu

For Respondent : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor

O R D E R

(The case has been heard through video conference)

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 174 Cr.P.C (Hanging) @ 306 IPC, in Crime No.1426 of 2019, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner, who is a married man and having two children developed affair with the victim and sexually tortured her. Thereafter, when the victim refused to fulfill his desire the petitioner had intimidated to upload the photos taken along with the victim in social media and continuously tortured her by calling her over phone. Due to which the petitioner committed suicide by hanging. Even when the victim was under treatment in hospital, the petitioner called the victim over phone without knowing the incident. Hence the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has falsely implicated in this case and the victim has not left any suicide note and unnecessarily the petitioner is being harassed by the respondent police. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent submitted that the petitioner is a married man and having two children. Suppressing the fact of marriage he had developed intimacy with the victim girl and had sexual affair with her. The victim after knowing that the petitioner is a married man, wanted to get out of the relationship. Whereas, the petitioner tortured her and intimidated her by saying that he will upload the photos taken along with the victim in the social media. Due to the petitioner's torture the victim girl committed suicide by hanging. He would further submit that if the petitioner is granted anticipatory bail he will interfere in the pending investigation and he will destroy the evidence. Hence, he vehemently opposed for the grant of anticipatory bail to the petitioner.

5. Taking into consideration the facts and circumstance of the case and the submission made by the learned Additional Public Prosecutor, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, the Criminal Original petition is dismissed.

-sd/-
21/07/2020

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
DHARAPURAM, TIRUPPUR DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

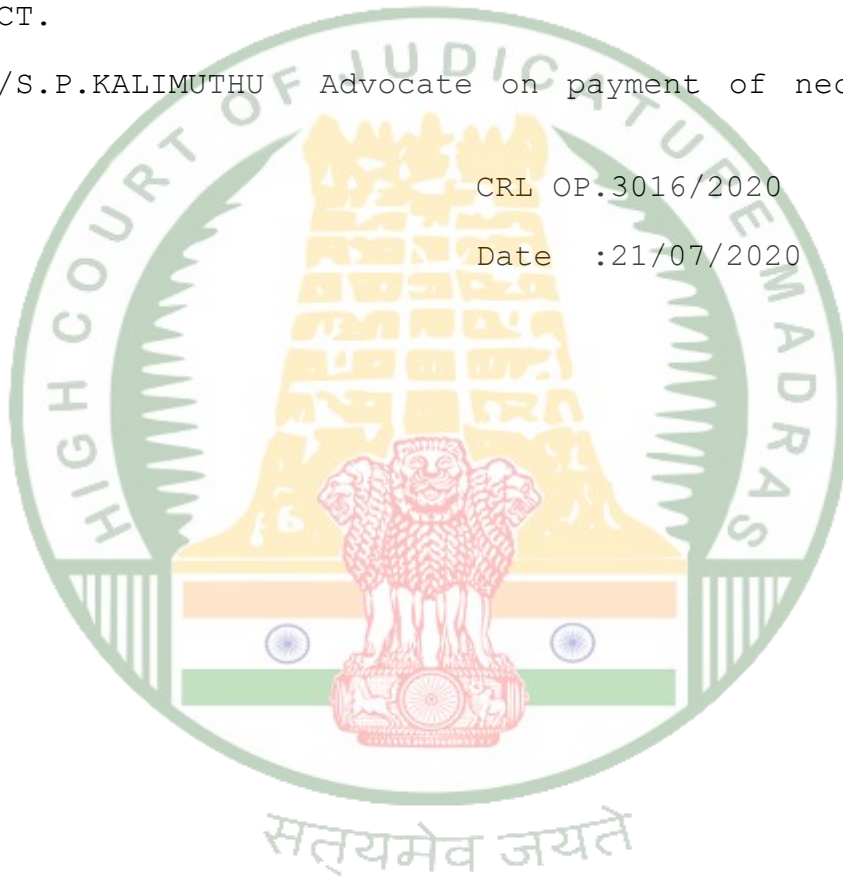
3 THE INSPECTOR OF POLICE,
PALLADAM POLICE STATION,
TIRUPPUR DISTRICT.

CC to M/S.P.KALIMUTHU Advocate on payment of necessary
charges

CRL OP.3016/2020

Date :21/07/2020

MK:19/08/2020



WEB COPY