

CrI.O.P.No.6684 of 2020

T.RAJA,J.

The petitioner who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 294(b), 323, 417, 493 of IPC in Cr.No.63 of 2019 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is working as Uttam Navik (ME) Mechanical Engineer in the Indian Armed Force Coast Guard and is posted at U/NVK (ME) 11816-L, ICGS Samarth, ICGS Goa, 4th Floor, Old Admin Building, Murnugao, Harbour, Goa – 403 803, from 15.07.2019. He is a native of Chapra in the State of Bihar and married one Priya Kumari during 2015 and out of the said wedlock, the petitioner is having a son aged about 4 years old.

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3.The defacto complainant who is a widow of an Indian Navy Sailor developed friendship with the petitioner and they exchanged their numbers. When the petitioner was transferred to Karaikal, Pondicherry, during the

year 2018, the defacto complainant also moved to Karaikal and continued to stay in touch with the petitioner. After sometime, the defacto complainant insisted to marry her and the petitioner refused to marry her. Hence, the defacto complainant lodged the complaint.

4.Now the petitioner is facing threat of arrest and therefore, he has filed this petition with the prayer that he is serving as Uttam Navik (ME) Mechanical Engineer in the Indian Armed Force Coast and hence, he may be granted anticipatory bail, failing which, he would be facing Departmental proceedings.

5.Opposing the above said prayer, the learned Public Prosecutor (Pondicherry) submitted that earlier on two occasions, the petitioner came to this Court with similar request and the same were turned down. He would further submit that in the earlier order dated 10.02.2020 made in Crl.O.P.No.169 of 2020, this Court after a detailed consideration refused the request of the petitioner.

6.A perusal of the order dated 10.02.2020 made in CrI.O.P.No.169 of 2020 shows that when the Investigating Officials went to Goa to secure the petitioner, his Superior Officers informed that after he comes back to the land, he will come and voluntarily surrender himself. After the ship touched the land, the Investigating Officer appears to have received a communication in writing stating that the petitioner cannot come since he is suffering from jaundice.

7.Since the petitioner refuses to appear before the Investigating Officer, this Court is not inclined to grant anticipatory bail to the petitioner.

8.This criminal original petition is accordingly dismissed.

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