

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.06.2020

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.9107 of 2020

Balasubramanian

...Petitioner

Vs

State rep. By

...Respondent

The Inspector of Police,
All Women Police Station,
Harur, Dharmapuri District.
(Crime No. 08/2019)

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C., praying to enlarge the petitioner on Anticipatory bail in the event of his arrest in Crime No:08 of 2019 pending investigation on file of the respondent Police.

For petitioner : Mr.H.Manojin

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

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 147, 417, 493, 376 & 420 of IPC. in Crime No.08 of 2019, seeks anticipatory bail.

2. The case of the prosecution is that the victim girl aged about 21 years fell in love with the petitioner, who is being a constable, in a Police Department. On the false promise of the marriage, he had sexual affair with the victim. While the defacto complainant insisted for their marriage, he refused to marry the victim girl. Hence the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner fell in love with the victim girl aged about 21 years. There is absolutely no physical relationship with her. When the petitioner demanded to marry the victim girl, the father of the victim girl refused to give his daughter to the petitioner for marriage, since he is a police man. Therefore, he married another girl and he is living with his wife. After a period of three years, now the defacto complainant lodged the present complaint. Therefore, he prays to grant anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that the petitioner fell in love with the victim girl aged about 21 years and on the false promise of the marriage, he had sexual intercourse with the victim girl. Thereafter, he refused to marry the victim and now he got married with the another girl. Therefore, he committed very serious offence. Hence he vehemently opposed to grant anticipatory bail to the petitioner.

5. It is seen that the petitioner fell in love with the victim girl aged about 21 years and also had physical relationship with her. Now he got married with another girl and refused to marry the victim girl. Therefore, petitioner committed very serious and grave offence as against the victim girl under pretext of false marriage. Therefore, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, the criminal original petition stands dismissed.

-sd/-
22/06/2020

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 INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
HARUR, DHARMAPURI DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.H.MANOJIN Advocate on payment of necessary charges

CRL OP.9107/2020

Date :22/06/2020

MN-MK-31/07/2020