

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.07.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.OP.No.10653 of 2020

Saranraj

... Petitioner

Vs.

State rep by
The Inspector of Police,
All Women Police Station, Neyveli
Cuddalore District,
Crime No. 10 of 2020

... Respondent

Prayer: Criminal Original Petition filed under Section 438 Cr.P.C., praying to enlarge the petitioners on bail in the event of their arrest in Crime No.10 of 2020 pending investigation on the file of the respondent police.

For Petitioner : M/s.S.T.Raja

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

O R D E R

(This case has been heard through video conference)

The petitioner who apprehends arrest at the hands of the respondent police for the offences publishable under Sections 312, 294(b), 323, 506(ii) and 498-A IPC in Crime No.10 of 2020, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant Subasri is that the petitioner, on assurance of marrying her, had sexual intercourse with her. Thereafter, the defacto complainant used to compel him to marry her. Therefore, on 11.05.2020, the petitioner took the defacto complainant to a temple at Sitheri and tied the Mangal Shoothra to the defacto complainant and thereafter, the petitioner promised to take her to his house after informing to his parents. Therefore, the defacto complainant went to her grandmother's house. After two days i.e. on 13.05.2020, the petitioner took her inside a cashew nut grove wherein, the complainant informed him that she is pregnant due to which, the petitioner, assaulted her on her abdomen resulting in the defacto complainant, sustaining

her alone following which, the defacto complainant lodged a complainant before the All Women Police Station, Neyveli and the same was registered in Crime No.113 of 2020. Thereafter, the matter was compromised and the petitioner took the complainant to the complainant's relative's house. The next day, the petitioner absconded. Therefore, the complainant was sent to the house of the petitioner with the help of Kurinjipadi Police wherein, the mother-in-law along with others, assaulted the defacto complainant and committed cruelty on her and also threatened her with dire consequences. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is ready and willing to marry the defacto complainant and to register the marriage before the concerned Jurisdictional Registrar Office and that interim protection may be given to the petitioner.

4. The learned Additional Public Prosecutor submitted that the petitioner on false assurance of marrying the victim girl, had sexual intercourse. Thereafter, when she became pregnant, he assaulted her due to which, she suffered abortion and thereafter he escaped from the scene of occurrence. Hence, he opposed for the grant of anticipatory bail to the petitioner.

5. Recording the submissions of both sides, I am inclined to grant **interim protection** to the petitioner. Meanwhile, the petitioner shall approach the respondent and the respondent in turn shall verify if the petitioner married the defacto complainant and registered the marriage before the concerned authorities.

6. Post the matter for reporting compliance on 31.07.2020. Till such time, the petitioner shall not be arrested by the respondent police.

-sd/-
16/07/2020

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 PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

2 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
NEYVELI, CUDDALORE DISTRICT.

CC to OM SAIRAM Advocate on payment of necessary charges

CRL OP.10653/2020

Date :16/07/2020

MK:29/07/2020