

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 22.07.2020

CORAM :

THE HON'BLE Mr. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.10894 of 2020

Vetrivel,
S/o. Gothandapani
No.4, East Street,
Kizhivadakuthu,
Vadakhuthu, Cuddalore - 607 303.

.. Petitioner

-Vs-

The State Represented by
The Inspector of Police,
All Women Police Station,
Neyveli, Cuddalore District,
(Cr. No. 7 /2020)

... Respondent

Prayer: Criminal Original Petition is filed under Section 439 of Criminal Procedure Code, to enlarge the petitioner on bail in Crime No.7 of 2020 on the file of the respondent police.

For Petitioner : Mr.K.Vijayakumar

For Respondent : Mr.T.Shanmugarajeswaran,
Government Advocate (Crl. Side)

O R D E R

(The case has been heard through video conference)

The petitioner, who was arrested on 25.05.2020, for the offences punishable under Section 376 of IPC, in Crime No.7 of 2020 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner, who is a married man and having three children, on a fake identity and a false assurance to the de facto complainant, had sexual intercourse with her and later, cheated her.

3.The learned counsel for the petitioner would submit that this is a case of consensual affair and a false case has been foisted against the petitioner. Hence, he prays for a grant of bail to the petitioner.

4.The learned Government Advocate (Crl. Side) appearing for the respondent would submit that the petitioner claiming himself to be a unmarried man, on a false assurance to the victim, had sexual intercourse with her. He would submit that during the investigation, it came to light that the petitioner is a married man, who is having three children and had given a false identity to the victim girl. He would further submit that the petitioner with a clear intention to cheat the de facto complainant, had committed sexual assault on her. Hence, he vehemently opposed to grant bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and the submissions made on either side, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

22/07/2020

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 DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, KURINIJIPADI
CUDDALORE DISTRICT

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

4 THE SUPERINTENDENT,
CENTRAL PRISON, CUDDALORE

CC to M/S.K.VIJAYAKUMAR Advocate on payment of necessary charges

सत्यमेव जयते

WEB COPY
CRL OP.10894/2020
Date :22/07/2020

RD 24/08/2020