

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 16.10.2020

CORAM :

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

Crl.O.P.No.16449 of 2020

LOKESH

... Petitioner

Vs.

State, represented by
The Inspector of Police
T-4, Maduravoyal Police Station
Thiruvallur District
(Crime No.1256 of 2020)

... Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Criminal Procedure Code to enlarge the petitioner on bail in Crime No.1256 of 2020 on the file of the respondent police.

For Petitioner : Mr.P.Chandrasekar

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

O R D E R

(The case has been heard through video conference)

The petitioner, who was arrested and remanded to judicial custody on 09.08.2020 for the offence punishable under Sections 417, 376 IPC in Crime No.1256 of 2020, on the file of the respondent police, seeks bail.

2.The case of the prosecution as per the defacto complainant is that the petitioner had induced the defacto complainant on the false promise of marrying her, had sexual intercourse with her due to which, she became pregnant. Later, it came to light that the petitioner is already a married man. Hence,

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent and he has been falsely implicated in this case. She would further submit that that it is a case of consensual affair which has been falsely projected as a case of cheating and rape. She would further submit that the petitioner has been suffering incarceration from 10.08.2020. Hence, she prays for grant of bail to the petitioner.

4. Per contra, the learned Government Advocate (Crl. Side) appearing for the respondent police would vehemently oppose stating that the petitioner is already a married man. He had on the false representation that he is a unmarried man, induced the defacto complainant and had sexual intercourse with her due to which, the victim became pregnant and that she has also delivered a child on 07.08.2020. He would further submit that the respondent are taking steps to take the blood samples from the petitioner and that the investigation is pending.

5. Taking into consideration the nature of offence and the fact that the investigation is pending and the respondent are taking steps to take the blood samples of the petitioner, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition stands dismissed.

-sd/-
16/10/2020

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 SUPERINTENDENT,
CENTRAL PRISON, PUZHAL.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
T-4, MADURAVOYAL POLICE STATION,
THIRUVALLUR DISTRICT.

CC to Mr.P.Chandrasekar Advocate on payment of necessary charges

CRL OP.16449/2020

Date :16/10/2020

MK:23/10/2020