

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.10.2020

CORAM

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

Crl.O.P.No.16899 of 2020

R.Kumaresan @ Iyyanar

... Petitioner/1st Accused

Versus

The Sub-Inspector of Police,
All Women Police Station,
Kallakurichi,
Kallakurichi District.
Crime No. 03 of 2020

... Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 439 Cr.P.C. to enlarge the petitioner on bail in Crime No. 03 of 2020 on the file of the respondent police.

For Petitioner : Mr.T.Balachandran

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 19.09.2020 for the offence punishable under Sections 417, 376, 109 of Indian Penal Code, in Crime No.03 of 2020, seeks bail.

2 The case of the prosecution is that the petitioner had sexual intercourse with the victim girl on the false promise of marrying her and thereafter cheated her. Hence the complaint.

3 Today (22.10.2020), when the matter is taken up for hearing, the learned counsel appearing for the petitioner seeks permission of this Court to withdraw this petition. However, this Court does not inclined to give any permission by considering the serious nature of the offence.

4 The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the petitioner on the false promise of marrying her, had committed sexual intercourse with her due to which, she became pregnant. Thereafter on the instigation of the petitioner, she aborted the foetus and thereafter, the petitioner

married another girl and cheated the victim girl. He would further submit that the investigation is pending and at this stage, if bail is granted to the petitioner, there is every possibility that the petitioner may abscond. Hence, he vehemently opposed to grant bail to the petitioner.

5 Heard the learned Government Advocate (Crl.Side) and perused the materials placed on record.

6 Taking into consideration the serious nature of offence and that the investigation is in preliminary stage, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition stands dismissed.

-sd/-

22/10/2020

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 FAST TRACK MAHILA COURT,
VILLUPURAM DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE SUB INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, KALLAKURICHI,
KALLAKURICHI DISTRICT

4 THE SUPERINTENDENT,
CENTRAL PRISON, CUDDALORE,
CUDDALORE DISTRICT.

CC to M/S. T.BALACHANDRAN Advocate on payment of necessary charges

CRL OP.16899/2020

Date :22/10/2020

RVR 04/11/2020