

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.12.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.18785 of 2020

Gokulkannan

... Petitioner

Vs.

The State Represented by
The Inspector of Police,
Palladam Police Station,
Tiruppur District.
Crime No.1426 of 2019

... Respondent

Prayer: Criminal Original Petition filed under Section 438 Cr.P.C.,
praying to enlarge the petitioner on bail in the event of his
arrest in connection with in Crime No.1426 of 2019, on the file of
the respondent, Palladam Police Station, Tiruppur District.

For Petitioner : Mr.P.Kalaimuthu

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

ORDER

(The case has been heard through video conference)

The petitioner, who apprehends arrest at the hands of the
respondent police for the alleged offences punishable under Section
174 Cr.P.C (Hanging) @ 306 IPC, in Crime No.1426 of 2019, on the
file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner
suppressing the fact that he is a married man and having two
children developed affair with the victim and also had sexual
intercourse with her. After coming to know that the petitioner is
married already, the victim severed the relationship, whereas, the
petitioner had threatened the defacto complainant that the intimate
photographs taken during their relationship will be uploaded in the
social media and continuously tortured her by making frequent phone
calls, due to which, the victim committed suicide by hanging. Even
when the victim was under treatment in hospital, the petitioner
called the victim over phone without knowing the incident. Hence
the complaint.

3.The learned counsel appearing for the petitioner would
submit that this is the second anticipatory bail petition and that

the earlier application was dismissed by this Court vide order dated 21.07.2020 in CrI.O.P.No.3016 of 2020. He would further submit that without prejudice to the defence, the petitioner is prepared to pay Rs..50,000/- as compensation to the family of the victim.

4.It is not the case where bail can be granted on payment of compensation to the defacto complainant and there is no merit in the application and there is also no change of circumstances.

5. Taking note serious nature of the allegation, the respondent is directed to arrest the accused.

6. This criminal original petition stands dismissed accordingly.

-sd/-

15/12/2020

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 JUDICIAL MAGISTRATE,
DHARAPURAM, TIRUPPUR DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE,
TIRUPPUR [FOR INFORMATION].

3 THE PUBLIC PROSECUTOR, सत्यमेव जयते
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
PALLADAM POLICE STATION,
TIRUPPUR DISTRICT.

CC to M/S P.KALIMUTHU Advocate on payment of necessary charges

CRL OP.18785/2020

Date :15/12/2020