



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

(Criminal Jurisdiction)

Date : 04/11/2020

WEB COPY

PRESENT

The Hon'ble Mr.Justice G.R.SWAMINATHAN

CRL MP(MD) . No.4837 of 2020

in

CRL OP(MD) . No.16063 of 2020

Ranjala ... Petitioner/Defacto complainant

Vs

1.The State Rep. by
The Inspector of Police,
Raliway Police Station,
Tenkasi, Tenkasi District.
(Crime No. 21 of 2019).

... 1st respondent/complainant

2.Subburaja

... 2nd Respondent/Petitioner/
Sole Accused

For Petitioner : Mr.V.Malaiyendran, Advocate
For Respondent No.1 : Mr.A.Robinson,
Government Advocate (Crl.Side)
For Respondent No.2 : Mr.T.Chandrasekar, Advocate

PRAYER :- To cancel the Anticipatory Bail order passed by this Hon'ble Court in Crl.O.P (MD)No. 16063 of 2019, dated 11.11.2019

ORDER : The Court Made the following order :-

Heard the learned counsel on either side.

2.The petitioner alleges continued threat from the accused. The accused today has filed an affidavit. The affidavit reads as under :

"1.I am the 2nd Respondent herein and I am the petitioner in main criminal original petition and I am well acquainted with the fact of the case.

2. I submit that I have gone through the Affidavit filed by the Petitioner in support of the cancellation of anticipatory bail Petition and I deny the various averments rose therein except those that are specifically admitted here under.



3. I submit that I am working as a point man in southern Railway at Bhagavathipuram Railway Station and the petitioner/Defacto Complainant was also working as a station Master in the same railway station. Further, I had good relationship with the petitioner/Defacto Complainant and obey the order of my station master and from the date of appointment I am continuously working without any demur. Further, I submit that the petitioner called me to her Apartment frequently, as a good relationship, I went to the petitioner Apartment, where the petitioner has made a statement that her husband was an unemployed person and he given mental and physical torture to her several time, so that frequently quarrel between them, so that she want marry me and she compelled me to physical relationship with her, but I refused to her attempt and there was a quarreled between me and the petitioner.

4. I submit that I am 28 years old and the petitioner is aged about 49 years' old women and she having a male boy 15 years old. Further, I informed to her, my family members are arranged for my marriage. The petitioner knowing the fact she made a false complaint against me for stop my marriage arrangement.

5. I humbly submit that the date of occurrence on 10.10.2019 there was no quarrel between me and the petitioner and I am not poured petrol in her leg and not fire by me. Further, she was not admitted any hospital for her treatment. I submit that I am not given any life threatened and sexual harassment to the petitioner at any point of time. I am not given any desire words to rape her. I submit that after 14 days later of occurrence place, the petitioner lodged a false complaint against me before the 1st Respondent on 24.10.2019 and the 1st Respondent summon to me for enquiry, I have appeared and given statement, then I went to my work place. Thereafter, without any notice a false case has been registered against me by the 1st Respondent in Crime No.21 of 2019 for the alleged offence U/s. 376,324,506 (ii) of IPC and 4 of TN Prohibition of Harassment of Women ACT 2002.

6. I humbly submits that I have moved Anticipatory bail before this Hon'ble Court through my counsel and this Hon'ble granted bail to me in CrI.O.P.(MD)No.16063 of 2019 on 11.11.2019. After that I was surrender before the Hon'ble Judicial Magistrate Court, Tenkasi and I was released on bail and observed all conditions imposed by this Hon'ble Court.

7. I submit that after released on bail I have made an application to transfer from the Bhagavathipuram Station to some other place. But the



petitioner was transferred with a promotion to Tirunelvel Junction. Therefore, I have not pressed my transfer application and now I am working in very same place. Now the petitioner is working at Tirunelveli, and living with her parental house at Thoothukudi.

8.I humbly submit that after transfer to Tirunelveli, the petitioner called me several time through mobile phone and asked me to marry her. Thereafter, I am not responding the petitioner phone calls, on 20.12.2019 she sent a picture whatsapp Message to my friend one Nanthagopal with a threatened manner "Knife "with her photo. Subsequently, I have been sent a message to her on very same day. Now the petitioner threatened me to marry her and willingly she made an application for transfer very same place of Bhagavathipuran Railway Station from Tirunelveli. The petitioner is filed this cancelation of bail petition before this Hon'ble Court, after one year, only motive to stop my marriage Further, I am not given any life threat to the petitioner with my friend and myself and ready to unconditional apology before this Hon'ble Court to her for the act done by me and I am ready to undertaken before this Hon'ble Court, I do not involved any criminal activities in future for the same. In this regard, I will not give any life threatening to the petitioner and I will not tamper the investigations and witnesses. The complaints have been made with false allegations for extraneous reasons. I am an innocent person and I am an employee of Railway Department and in the cancelation of bail, I would be subjected to serious hardships.

Hence, it is prayed that this Hon'ble Court may be pleased to accept this unconditional apologies Affidavit and dsimiss the discuss of cancellation Petition for Anticipatory bail order passed by this Hon'ble Court in Crl.M.P.(MD)No. 4837 of 2020 in Crl.O.P. (MD)No.16063 of 2019 dated 11.11.2019, and passes such further or other order as this Hon'ble Court may deem fit and proper in the circumstances of the case and thus render justice."

3.Recording the said affidavit, this criminal miscellaneous petition is closed.

sd/-

04/11/2020

/ TRUE COPY /

/ /2020

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



TO

1. THE JUDICIAL MAGISTRATE, TENKASI.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
3. THE INSPECTOR OF POLICE,
RALIWAY POLICE STATION,
TENKASI,
TENKASI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL MP (MD) No.4837 of 2020
IN
CRL OP (MD) No.16063 of 2019
Date :04/11/2020

SKM
TE/AKM/SAR-II : 07/12/2020 : 4P/5C