



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 08/10/2020

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) . No.10624 of 2020

Muthukumar

... Petitioner/Accused No.1

Vs

The State represented by,
The Inspector of Police,
All Women Police Station,
Nilakottai,
Dindigul District.
(Crime No.7 of 2020).

... Respondent/Complainant

For Petitioner : M/s.S.Balaji,
Advocate.

For Respondent : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For a Bail in Crime No.7 of 2020 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A1, who was arrested and remanded to judicial custody on 02.09.2020 for the offences punishable under Sections 417 and 376 of IPC on the file of the respondent police seeks bail.

2. The case of the prosecution is that the petitioner herein fell in love with the victim girl and on the pretext of marrying her he had sexual intercourse with her and subsequently refused to marry her and also demanded 60 sovereigns of gold jewels to marry the victim girl.

3. The learned counsel for the petitioner would submit that there are totally four accused in this case and the petitioner herein is arrayed as A1. The defacto complainant is aged about 20 years and she had given consent for physical relationship and thereafter the family members of the defacto complainant has given a



false complaint against the petitioner. He would also submit that the offence under Sections 417 and 376 of IPC is not made out against the petitioner, since the defacto complainant has given consent for physical relationship. He would also submit that the petitioner is in jail from 02.09.2020, hence he may be granted bail.

WEB COPY

4. The learned Government Advocate(crl.side) would submit that the petitioner on the pretext of marrying the victim had sexual intercourse with her and thereafter refused to marry her. The petitioner's family is also demanding huge dowry for marriage. Initially the petitioner's family agreed for marriage and later they refused for marriage and cheated her.

5. It is seen that the petitioner fell in love with the defacto complainant who is aged about 20 years and on the promise of marrying her had sexual intercourse with her and later refused to marry her demanding more dowry. It is also stated that the petitioner's family is arranging marriage for the petitioner to another lady whose family is ready to give huge dowry.

6. Taking note of all the above facts that the offence committed by the petitioner is a heinous one, this Court is not inclined to grant bail to the petitioner.

7. Hence the petition stands dismissed.

sd/-
08/10/2020

/ TRUE COPY /

/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
NILAKOTTAI, DINDIGUL DISTRICT.



2.THE OFFICER IN-CHARGE,
DISTRICT JAIL, DINDIGUL.

3.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.10624 of 2020

Date :08/10/2020

AAV

PK/AKM/SAR-2/12.10.2020 : 3P/4C