



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 03/11/2020

PRESENT

WEB COPY

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

CRL OP(MD) . No.11548 of 2020

P.K.Ragul

... Petitioner/Sole Accused

Vs

State rep.by
The Inspector of Police,
Central Police Station,
Thoothukudi District.
Crime No.556 of 2020

... Respondent/Complainant

For Petitioner : M/s.P.Senguttuarasan, Advocate.
For Respondent : Mrs.M.Anandha Devi,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :- For Anticipatory Bail in Crime No.556 of 2020 on the file of the Respondent Police.

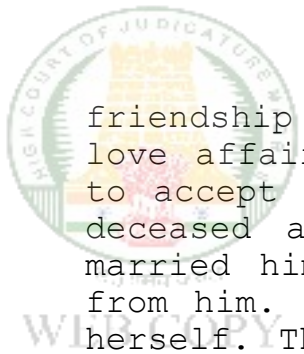
ORDER : The Court made the following order :-

The petitioner, who is arrayed as sole accused apprehending arrest at the hands of the respondent police for the offence punishable under Section 174 of Cr.P.C @ 306 of IPC, in Crime No.556 of 2020, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner had love affair with the deceased. Thereafter, he had sexual intercourse with the deceased. Due to which, the deceased got pregnant. After knowing the same, as per the advise of the petitioner, the deceased aborted her pregnancy. Thereafter, when the deceased compelled to marry her, the petitioner refused to the same. Therefore the deceased got humiliated and committed suicide by hanging herself.

3.Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondent Police.

4.The learned counsel appearing for the petitioner would submit that in the year 2016, the petitioner and the deceased had got



friendship through face-book. Thereafter, the deceased proposed her love affair to the petitioner. Immediately, the petitioner refused to accept her proposal since she is having 6 years old child. The deceased also had love affair with one Rahul and she also got married him and after 4 months of her marriage, she got divorced from him. Due to various reasons, she committed suicide by hanging herself. Therefore, the petitioner never had any relationship with the deceased. All the allegations raised against the petitioner are baled and vague and he is nothing to do with the allegations as alleged by the prosecution. Now, the petitioner got married another woman and had one year old child. Therefore, he prayed for anticipatory bail to the petitioner.

5.The learned Government Advocate (Crl. Side) appearing for the respondent Police produced the SMS and Mail sent by the petitioner herein to the deceased. She further submitted that the petitioner had love affair with the deceased through face-book and also had physical relationship with her. Only due to the message and mail sent by the petitioner, the deceased got humiliated and committed suicide by hanging herself. Therefore, the petitioner acted very crucial role and also induced the deceased to commit suicide.

6.It is seen that the petitioner is the sole accused. Admittedly, the petitioner fell in love with the deceased. According to the case of the prosecution, the deceased is the divorced woman and thereby, she had love affair with the petitioner and the petitioner had sexual intercourse with the deceased. Due to which, the deceased got pregnant. On the instruction given by the petitioner herein, the deceased aborted her pregnancy and thereafter, the petitioner refused to marry the deceased. On perusal of e-mail and SMS sent by the petitioner. It is seen that on the date of occurrence, the petitioner sent a message to her through his cell phone and therefore, she got humiliated. Therefore, only on the petitioner's instigation, she got humiliated and committed suicide by hanging herself.

7.Considering the above facts and circumstances and that the custodial interrogation of the petitioner is absolutely necessary, this Court is not inclined to grant anticipatory bail to the petitioner.

8.Accordingly, this Criminal Original Petition stands dismissed.

sd/-
03/11/2020

/ 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.

WEB COPY

- TO
- 1 THE INSPECTOR OF POLICE,
CENTRAL POLICE STATION,
THOOTHUKUDI DISTRICT.
 - 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.11548 of 2020
Date : 03/11/2020

MS/PN/SAR-4/18.11.2020/3P.3C