



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Twenty Fifth day of October Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.17741 of 2021

C.PONMOZHIAN

[PETITIONER / ACCUSED]

Vs

STATE OF TAMIL NADU REP. BY
THE INSPECTOR OF POLICE,
D-4 PADALAM POLICE STATION,
CHENGALPATTU DISTRICT.
(CRIME NO.549 OF 2021)

[RESPONDENT]

For Petitioner : M/S. S.MANURAJ Advocate

For Respondent : M/S.C.E.PRATAP, Govt. Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

The petitioner who apprehends arrest for the alleged offence under Sections 417 r/w. 306 and 376 of IPC,1860 in Cr.No.549 of 2021 under Section 174 of Cr.P.C, 1973 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner is working as a Regional Manager in PEPSI company. The de-facto complainant's daughter/deceased worked in the same company and had love affair with the petitioner. The petitioner promised to marry the de-facto complainant's daughter/deceased and had sexual relationship with her. When the de-facto complainant's daughter/deceased asked the petitioner to marry her, he refused to marry her. Hence, the de-facto complainant's daughter consumed poison and got admitted in the hospital and thereafter died. Hence, the de-facto complainant lodged a complaint against the petitioner.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and initially the complaint was lodged by the de-facto complainant stating that he has doubt over the management and wants to enquire the matter properly only in order to obtain compensation money. He further submitted that petitioner is already married and has a 7 year old child and he never forced or harassed the de-facto complainant's daughter/deceased. Hence, he prays for grant of anticipatory bail to the petitioner.



4. The learned Government Advocate (Crl.Side) submitted that the petitioner and de-facto complainant's daughter had love affair and later on the petitioner refused to marry her due to which the de-facto complainant's daughter consumed poison and died. He further submitted that the suicide note was recovered from the premises and custodial enquiry is necessary in this case. Hence, he strongly opposed to grant anticipatory bail to the petitioner.

5. On perusal of the suicide note of the de-facto complainant's daughter/deceased, it reveals that the petitioner made false promises and had sexual relationship with the deceased and also made the deceased to abort the five months foetus. In the above facts and circumstances, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
25/10/2021

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 INSPECTOR OF POLICE,
D-4 PADALAM POLICE STATION,
CHENGALPATTU DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S. S.MANURAJ Advocate on payment of necessary
charges SR.NO.11733

CRL OP.17741/2021

Date :25/10/2021

TA-17/11/2021