



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Wednesday, the Twenty Seventh day of October Two Thousand Twenty One

WEB COPY

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.18659 of 2021

GANESH KUMAR

[PETITIONER / ACCUSED]

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
CBCID, VELLORE.
CR.NO.1/2021.

[RESPONDENT]

For Petitioner : M/S. R.SANKARASUBBU Advocate

For Respondent : MR. A.GOPINATH, 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 at the hands of the respondent police for the alleged offence under Sections 417 & 506(i) of I.P.C & Section 4 of Prohibition of Women Harassment Act in Crime No. 18 of 2020, seek anticipatory bail.

2.The case of the prosecution is that the petitioner who is a married man came into contact with the De-facto Complainant through facebook and had an illicit and physical relationship with the defacto complainant several times. Further it is alleged that the petitioner without the knowledge of the De-facto Complainant had taken videos while he was in physical relationship with her and had circulated the said videos through social media thereafter refused to marry her. When the De-facto Complainant approached the petitioner with regard to marriage, she came to know that the petitioner was already married and he refused to marry her and threatened her with dire consequences. Hence the Complaint.

3.The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submitted that previously the petitioner had filed two quash petitions before this Court and in one case, this court had even



directed the petitioner to hand over the audio clip to the investigating agency for investigation of the case. It is prayed that in the overall circumstances, the present petition has been filed seeking anticipatory bail.

4. The learned Government Advocate (Crl.Side) submitted that the petitioner is working in the Police Department and he had not only ruined the life of the De-facto Complainant by making false promise that he will marry her but also having illicit relationship with many other women. Therefore, he vehemently opposed to grant anticipatory bail to the petitioner.

5. The materials available on record reveal that two quash petitions and anticipatory bail petitions were filed by the petitioner previously. In one of the petitions, it was stated that the De-facto Complainant was ready for compromise, however, when the Court enquired the defacto complainant, it was found that she was not willing for compromise. After considering the entire materials, the quash petitions were dismissed. So also considering the gravity of the offence committed by the petitioner, the petitions, which were filed for anticipatory bail were also dismissed.

6. In the above backdrop of the materials, not only the petitioner being a married man, ruined the life of the De-facto Complainant but also he had circulated the videos on social media, thereby tarnishing the name and image of the defacto complainant in general public and in view of the further stand of the respondent that the petitioner is having illicit relationship with other women as well and being a member of the disciplined force, the chances of the petitioner interfering with the investigation, which is still under way are high, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, the petition seeking anticipatory bail is dismissed.

-sd/-
27/10/2021

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,
CBCID, VELLORE.

2 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

CC to M/S. R.SANKARASUBBU Advocate on payment of necessary
charges

CRL OP.18659/2021

Date :27/10/2021

INBA-17/11/2021