



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Seventh day of December Two Thousand Twenty One

PRESENT

The Hon`ble Mrs Justice T.V.THAMILSELVI

CRIMINAL ORIGINAL PETITION No.23624 of 2021

ANBARASAN

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
W-21, GUINDY, ALL WOMEN POLICE STATION,
CHENNAI DISTRICT.
(CR.NO. 06/2021)

[RESPONDENT]

For Petitioner : M/S.V.CHELLAMMAL Advocate

For Respondent : MR.N.S.SUGANTHAN, Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL 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 Section 417, 376 of IPC in Cr.No.06 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.This is the second anticipatory bail application filed before this Court. The case of the prosecution is that during the year 2017, the petitioner and the defacto complainant loved each other and believing the words of the petitioner, both had sexual intercourse due to which the defacto complainant became pregnant and subsequently, she was forced by the petitioner and his mother to abort her fetus and for the sake of marriage the petitioner received an amount of Rs.10,00,000/- and 25 Sovereigns of gold jewels from the defacto complainant and thereafter, the petitioner went to his home town following which, when the defacto complainant approached him, he refused to marry her and also attempted to murder her twice. Hence, the defacto complainant lodged a complaint against the petitioner.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submitted that the petitioner is ready to marry the victim girl. Hence, he prays for grant of anticipatory bail to the petitioner.



4.The learned Government Advocate (Crl.Side) submitted that earlier application was dismissed by this Court in Crl.O.P.No.20972 of 2021 dated 09.11.2021. He further submitted that the petitioner, on his false promise had sexual relationship with the defacto complainant and thereafter refused to marry her and also the petitioner is alleged to have forced the defacto complainant to abort her fetus. He further submitted that the investigation is pending in this case. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the gravity of offence committed by the petitioner and earlier application was dismissed by this Court and there is no change of circumstances, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

07/12/2021

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,
W-21, GUINDY, ALL WOMEN POLICE STATION,
CHENNAI DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.V.CHELLAMMAL Advocate on payment of necessary charges

CRL OP.23624/2021

Date :07/12/2021

CSK 17/12/2021