



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Seventeenth day of December Two Thousand Twenty One

PRESENT

The Hon`ble Mrs Justice T.V.THAMILSELVI

CRIMINAL ORIGINAL PETITION No.24488 of 2021

S.ARVINDE KUMAR

[PETITIONER / ACCUSED]

Vs

STATE REP.BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
ARNI, TIRUVANNAMALAI DISTRICT.
CRIME NO.18 OF 2021.

For Petitioner : M/S.DHARANI KASINATHAN Advocate

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

PETITION FOR BAIL 439 Cr.P.C.

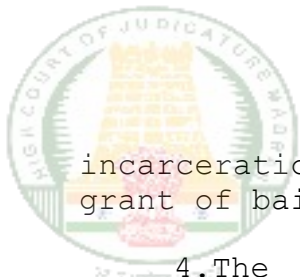
ORDER : The Court Made the following order :-

(The case has been heard through video conference)

The petitioner who was arrested and remanded to judicial custody on 02.10.2021 for the offences under **Sections 417 and 376 of IPC**, in Crime No.18 of 2021, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner on the false promise of marrying the defacto complainant, raped her due to which, she became pregnant. Hence, the complaint.

3.The learned counsel for the petitioner would submit that there was a love affair between the petitioner and the defacto complainant and admittedly they were in physical relationship. Knowing their relationship, the family members of the defacto complainant forcibly given her into marriage with her uncle and now a false complaint has been given against the petitioner invoking Sections 417 and 376 of IPC. He would further submit that the petitioner has given his blood samples for DNA test and he is prepared to co-operate for the investigation and that the petitioner has been suffering



incarceration for 70 days from 02.10.2021. Hence, he would pray for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) would raise objection stating that now the victim has delivered a male child and therefore, the statement of the victim under Section 164 Cr.P.C. has not been recorded and that the DNA test report is awaited.

5. On seeing the nature of offence and the fact that the investigation has not been completed and that the DNA test report is awaited and if the petitioner is released on bail, there is every possibility of the petitioner getting abscond. Hence, this court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original petition is dismissed.

-sd/-
17/12/2021

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 PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

2 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
ARNI, TIRUVANNAMALAI DISTRICT.

3 THE OFFICER INCHARGE
JUDICIAL CUSTODY,
TIRUVANNAMALAI PRISON.

CC to M/S.DHARANI KASINATHAN Advocate on payment of necessary charges

CRL OP.24488/2021

Date :17/12/2021

TA-05/01/2022