



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Tenth day of December Two Thousand Twenty One

PRESENT

The Hon`ble Mrs Justice T.V. THAMILSELVI

CRIMINAL ORIGINAL PETITION No.23395 of 2021

M.SARAVANAN

[PETITIONER / ACCUSED]

Vs

STATE REP BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
ALL WOMEN EAST PULIYAKULAM POLICE STATION,
COIMBATORE.
(POTHANUR POLICE STATION)
CRIME NO. 839/2021)

For Petitioner : M/S.A.J.MOHAMED KASSIM Advocate

For Respondent : MR.N.S.SUGANTHAN, Government 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 offences punishable under Sections 376 and 506(ii) of IPC, in Crime No.839 of 2021, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and the de facto complainant are close relatives. The de facto complainant is a married woman and has two children. The petitioner is the brother of the de facto complainant's sister in law. It is alleged that the petitioner has sent messages to the de facto complainant. When the de facto complainant's husband came to know the communication between the de facto complainant and the petitioner, the de facto complainant's husband left the de facto complainant. Thereafter, the petitioner gave assurance to the de facto complainant that the petitioner would arrange a good job to the de facto complainant and subsequently, the petitioner called the de facto complainant to come



to a particular hotel at Sundarapuram on 26.07.2021 and the de facto complainant went there and the petitioner forcibly had physical relationship with the de facto complainant and took some photographs also. Subsequently, the petitioner threatened the de facto complainant by showing the said photographs. 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. Hence, he prays for grant of anticipatory bail.

4. The learned Government Advocate (Crl.Side) submitted that the petitioner forcibly had physical relationship with the defacto complainant and took some photographs also. Subsequently, the petitioner threatened the de facto complainant by showing the said photographs. He would further state that the investigation in this case is not yet completed. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of this case, there is tamper in evidence, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

10/12/2021

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,
ALL WOMEN EAST PULIYAKULAM POLICE STATION,
COIMBATORE.
(POTHANUR POLICE STATION)

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.A.J.MOHAMED KASSIM Advocate on payment of necessary charges

CRL OP.23395/2021

Date :10/12/2021

RW 16/12/2021