



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/04/2021

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP (MD) No.4524 of 2021

Muthusaravanan

... Petitioner/Accused

Vs

The Inspector of Police,
Alangulam All Women Police Station,
Tirunelveli District.
Cr No.3/2021.

... Respondent/Complainant

M.Saranya

.. Petitioner/Intervenor
in CRL MP (MD) No.3076 of 2021

For Petitioner : M/s.S.Elumalai,
Advocate.

For Respondent : Mr.R.Erottuchamy,
Government Advocate (Crl.Side)

For Intervenor : Mr.S.M.Anantha Murugan

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

PRAYER :-

For Anticipatory Bail in Crime No.3 of 2021 on the file of the
Respondent Police

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the
respondent police for the alleged offences punishable under Sections
417, 376 IPC and Section 67A of the Information Technology Act, 2000
in Crime No.3 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant
and the petitioner were in love with each other for more than seven
years and on promise of marriage, the petitioner had physical
relationship with the defacto complainant on many occasions and he
also videographed the same. Thereafter, he refused to marry her and
also threatened her by stating that he will post the video in the
social media. On 10.01.2021, the petitioner snatched the mobile
phone of the defacto complainant. Hence, the complaint.



3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he did not commit any offence as alleged by the prosecution. He further submitted that the petitioner has never indulged in such kind of activities and he is ready to hand over his mobile phone for investigation. Therefore, he prayed for anticipatory bail to the petitioner.

4.The learned counsel for the intervenor submitted that the allegation against the petitioner is true and he used to take video of the physical relationship. Therefore, he opposed to grant anticipatory bail to the petitioner.

5.The learned Government Advocate(Crl.side) appearing for the respondent police strongly opposed this petition on the ground that the petitioner is absconding and only if he arrested, the true facts would come to light.

6.It is seen from the submission that the petitioner and the defacto complainant were in love with each other for more than seven years. The allegation against the petitioner is that on promise of marriage, he had physical relationship with the defacto complainant and also videographed the same. Thereafter, he refused to marry her and also threatened her that he will upload the video in social media. He said to have snatched her cell phone. Only if the petitioner is apprehended and enquired, the real facts would come to light. Therefore, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this criminal original petition is dismissed.

sd/-
21/04/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

GNS

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



TO

1.The Inspector of Police,
Alangulam All Women Police Station,
Tirunelveli District.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN
CRL OP(MD) No.4524 of 2021
Date : 21/04/2021

VB MNR SAR IV(19/05/2021) 3P / 3c