



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 23/06/2021

PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD) . No.7820 of 2021

Muthusaravanan

... Petitioner/Sole Accused

Vs

The State rep.by,
The Inspector of Police,
Alangulam AWPS Police Station,
Tirunelveli District.
(Crime No. 3 of 2021).

... Respondent/Complainant

For Petitioner : Mr.S.Elumalai,
Advocate.

For Respondent : Mr.M.Muthumanikkam,
Government Advocate (Crl.Side)

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

PRAYER :-

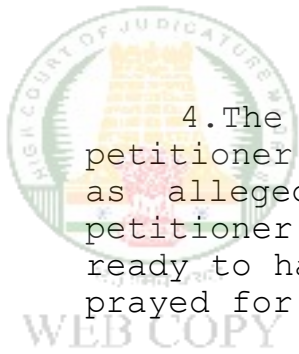
For anticipatory bail in crime no.3 of 2021 on the file of the respondent police

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 and 376 of IPC and Section 67A of the Information Technology Act, 2000 in Crime No.3 of 2021, seeks anticipatory bail.

2.This is the second anticipatory bail petition and the first anticipatory bail petition in Crl.O.P.(MD)No.4524 of 2021 was dismissed on 21.04.2021.

3.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.



4.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.

5.The learned Government Advocate(Crl.side) appearing for the respondent police opposed this petition on the ground that the accused is absconding and therefore, there is no headway in the investigation of this case. Hence, he seeks dismissal of this petition.

6.Taking note of the fact that the allegation against the petitioner that he had physical relationship with the defacto complainant on many occasions on the promise of marrying her; he also videographed the same; he threatened her by stating that it will be uploaded in the social media and snatched her cellphone and the fact that there is no change in circumstances of the case, since the dismissal of earlier anticipatory bail petition by this Court, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this criminal original petition is dismissed.

sd/-

23/06/2021

/ TRUE COPY /

/ /2021

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

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 AWPS POLICE STATION,
TIRUNELVELI DISTRICT.
- 2.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.7820 of 2021

Date :23/06/2021

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<https://hccs.court.gov.in/cse/06.2021> : 2P/3C