



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

Date : 03/09/2021

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.11932 of 2021

Ramki ... Petitioner/Accused No.1

Vs

The State rep.by,
The Inspector of Police,
All Women Police Station, Alangudi,
Pudukkottai District.
Crime No.04 of 2021. ... Respondent/Complainant

For Petitioner : Mr.V.S.Badrinath,
Advocate.

For Respondent : Mr.T.Senthilkumar,
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-For Bail in Crime No.04 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A1, who was arrested on 29.04.2021 for the alleged offences under Sections 376(i), 417, 294(b), 323, 147, 509 and 355 I.P.C, in Crime No.04 of 2021 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner and the defacto complainant loved each other. The petitioner had physical relationship with the defacto complainant by giving a promise that he would marry her. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent and he has been falsely implicated in this case. He is inside the prison from 29.04.2021. Hence, he seeks for grant of bail.

4.The learned Government Advocate (Crl.side) appearing for the respondent police would submit that after completing the



investigation, the final report has been filed and the same was taken on file in PRC.No.7 of 2021 before the learned Magistrate Court, Alangudi.

5.The learned counsel for petitioner would further submit that the petitioner and the defacto complainant are under the prohibited relationship, therefore, the petitioner's parents are not willing for their marriage.

6.However, when the petitioner moved bail in CrI.M.P.No.1938 of 2021 before the learned Principal Sessions Court, Pudukkottai, he undertook that he would marry the victim girl. Based on the undertaking given by the petitioner, the learned Sessions Judge has granted the interim bail. Having obtained the interim bail, the petitioner has taken a different stand. Therefore, the said bail was subsequently dismissed. Considering the submission made on behalf of the petitioner, this Court has directed the learned Government Advocate (CrI.side), to verify as to whether they are under the prohibited relationship and the learned Government Advocate (CrI.side) after verification, submitted that they are not in prohibited relationship.

7.Considering the facts and circumstances of the case, the conduct of the petitioner in obtaining interim bail by promising to marry the victim and now taking a different stand, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

8.However, the learned Judicial Magistrate, Alangudi is directed to expedite the committal proceedings.

sd/-
03/09/2021

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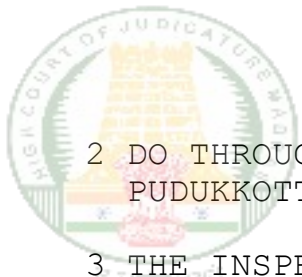
/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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 LEARNED JUDICIAL MAGISTRATE,
ALANGUDI.

<https://hcservices.ecourts.gov.in/hcservices/>



2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI DISTRICT.

3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, ALANGUDI, PUDUKKOTTAI DISTRICT.

4 THE OFFICER INCHARGE,
SUB PRISON, PUDUKKOTTAI.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.11932 of 2021

Date :03/09/2021

MSA

MK/PN/SAR.I/14.09.2021/3P/6C