



Crl.OP.No.5475 of 2021

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G.K.ILANTHIRAIYAN, J.

The petitioner, who was arrested and remanded to judicial custody on 03.02.2021 at the hands of the respondent police for the alleged offences punishable under Sections 417, 376(1) and 506(i) of IPC r/w Section 4 of Tamil Nadu Prohibition of Harassment of Women Act 2002 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 and on promising to marry her, the petitioner is said to have sexually assaulted the defacto complainant. Thereafter, he refused to marry her. In the said circumstances, a case has been registered and he was arrested and remanded to judicial custody on 03.02.2021.

3. The learned counsel for the petitioner would submit that the petitioner is the sole accused. He was arrested and remanded to judicial custody on 03.02.2021. The petitioner fell in love with the victim girl and had physical relationship. When the petitioner refused to marry the victim girl, the petitioner was assaulted by the victim's family.



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4. On the submission made by the learned counsel for the petitioner, this matter has been referred to the Mediation and the petitioner was granted interim bail on condition that the petitioner shall appear before the Mediation Centre for amicable settlement. However, today it is reported that mediation failed as the petitioner refused to marry the victim girl. Admittedly, the petitioner had love affair with the victim girl. On the pretext of marriage, he had physical relationship and now he refused to marry the victim girl.

5. Considering the above circumstances and taking note of the fact that the petitioner had committed a very serious and heinous offence as against the victim girl, this Court is not inclined to grant bail to the petitioner. The respondent is directed to secure the petitioner and proceed in accordance with law.

6. Accordingly, this Criminal Original Petition is dismissed.

28.06.2022

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