



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Twenty Second day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.13996 of 2022

PRABAKARAN

[PETITIONER / ACCUSED]

Vs

STATE, REPRESENTED BY
THE INSPECTOR OF POLICE,
JOLARPET POLICE STATION,
THIRUPATHUR DISTRICT.
(CRIME NO.161 OF 2022)

[RESPONDENT]

For Petitioner : M/S.C.PRABAKARAN Advocate

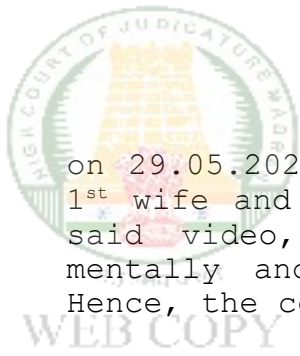
For Respondent : MR.A.DAMODARAN, Additional Public Prosecutor,

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 alleged offences punishable under Section 306 of IPC in Cr.No.161 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the *de facto* complainant lodged a complaint alleging that her daughter initially fell in love with the petitioner herein who is working in Military Service. When the said fact came to the knowledge of the *de facto* complainant, a complaint was given to the respondent Police as she was a minor aged about 17 years 10 months. Hence, a case was registered in Crime No.214 of 2019 against the petitioner. However, subsequently the petitioner got married with some other person and there was difference of opinion between them. Thereafter, again the petitioner had been in touch with the daughter of the *de facto* complainant again and they got married and were leading the matrimonial life peacefully. Thereafter, the petitioner started to abuse the *de facto* complainant's daughter by demanding dowry and also assaulted her on few occasions. Thereafter, a panchayat was convened by the well-wishers and they were advised to live peacefully. At this juncture,



on 29.05.2022, the petitioner celebrated the birthday party with the 1st wife and the same was posted in Whatsapp video. On seeing the said video, the daughter of the *de facto* complainant suffered mentally and committed suicide by hanging herself on 01.06.2022. Hence, the complaint.

3. Totally, there are three accused in this case, in which the petitioner is arrayed as A1. The petitioner fell in love with the victim girl aged about 17 year and had sexual intercourse, thereafter refused to marry her. As such, victim girl's mother lodged a complaint and the same was registered in Crime No.214 of 2019. After completion of the investigation, charge sheet was laid. While pending trial, the petitioner assured the victim girl that he will marry her. On the pretext of marriage, they had physical relationship. After the petitioner got acquitted by the trial Court, the petitioner refused to marry the victim and married an another girl. On 29.05.2022, the petitioner and his wife jointly went to the house of the victim and there they cut the birthday cake. At that juncture, the victim girl got humiliated and after writing a suicidal note, she committed suicide by hanging herself.

4. Therefore, the petitioner have committed a very serious offence as against the victim girl and as such custodial interrogation of the petitioner is very much required in this case. Hence, this Court is not inclined to grant anticipatory bail to this petitioner and this Criminal Original Petition is dismissed.

-sd/-

22/06/2022

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,
JOLARPET POLICE STATION,
THIRUPATHUR DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.C.PRABAKARAN Advocate on payment of necessary charges

CRL OP.13996/2022

Date :22/06/2022

TA-04/07/2022