



Crl.OP.No.16762 of 2022

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G.K.ILANTHIRAIYAN, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offence under Sections 376, 417, 294(B), 506(II) of IPC in crime No.38 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner had committed rape on the victim several times by giving false assurance that he will marry her and abused her. He also threatened her with dire consequences, thereby he cheated her by refusing to marry her. Hence, the case.

3. The learned counsel for the petitioner would submit that both the petitioner and the victim had love affair. When the petitioner had initiated talks with her parents in respect of their marriage, at that time the petitioner came to know about the other illicit contact of the defacto complainant and the same was questioned by the petitioner. He called upon the defacto complainant to leave away those contacts with other boy friends, for which she refused and because of that, the marriage proposal was dropped at the instance of the defacto complainant. However, now false complaint has been lodged against the



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petitioner. Hence, he seeks for grant of anticipatory bail to the petitioner.

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4. The learned Public Prosecutor (Puducherry) submitted that on the pretext of false marriage, the petitioner had physical relationship with the victim girl and thereafter refused to marry her. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. On perusal of the statement recorded under Section 161 of Cr.P.C., revealed that the petitioner, on the pretext of marriage, had penetrative sexual assault on the victim aged about 26 years. He also had taken nude photograph of the victim and threatened her to have sexual intercourse. Thereafter, he refused to marry the victim. Therefore, on the pretext of marriage, he had physical relationship with the victim girl and also refused to marry her. As such, the petitioner has committed very serious and heinous offence as against the victim girl and this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this criminal original petition is dismissed.

19.07.2022

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