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CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/10/2022

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD). No.18000 of 2022

1. David Jacob Raj
2. Gnanamani

... Petitioner/Accused No.2 & 4

Vs

State Rep.by
The Inspector of Police,
All Women Station, Valliyur,
Tirunelveli District.
(Crime No.18/2022).

... Respondent/Complainant

For Petitioners : M/s.Rajeshwaran K,
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.18/2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/A2 and A4, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 294 (b), 417, 376 and 506(ii) IPC and Section 4 of TN Prohibition of Harassment of Women Act, 2002 in Crime No.18 of 2022, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that A1 was in love affair with the de-facto complainant and had physical relationship with her and thereafter, refused to marry her. When the same was questioned by the de-facto complainant, the petitioners herein threatened her with dire consequences. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocents and they have been falsely implicated in this case. Hence, he prays for anticipatory bail.



4.The learned Government Advocate (Crl. side) would submit that A2 is the father of A1 and A4 is the uncle of A1. A1 by giving false promise to marry the de-facto complainant, had sexual intercourse with her and thereafter, refused to marry her. When the same was questioned by the de-facto complainant, the petitioners threatened her with dire consequences. He would further submit that the statement under Section 164 of Cr.P.C of the de-facto complainant is also recorded and the investigation is still pending. Hence, he strongly opposed to grant anticipatory bail to the petitioners.

5.Considering the seriousness and gravity of the offence and also considering the facts that the statement under Section 164 of Cr.P.C of the de-facto complainant is also recorded and the investigation is still pending, this Court is not inclined to grant anticipatory bail to the petitioners.

6.Accordingly, this Criminal Original Petition is dismissed.

sd/-

18/10/2022

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/11/2022

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

TO

1. The Inspector of Police,
All Women Station,
Valliyur,
Tirunelveli District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER

IN

CRL OP(MD) No.18000 of 2022

Date :18/10/2022

sjj

RS/VR/SAR.2 (31.10.2022) 2P-3C