



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 04/01/2022
PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.20574 of 2021

Vino

... Petitioner/Sole Accused

Vs

The State rep.by,
The Inspector of Police,
Radhapuram Police Station,
Radhapuram,
Tirunelveli District.
Crime No.Not known of 2021.

... Respondent/Complainant

For Petitioner : Mr.S.Palani Velayutham, Advocate.

For Respondent : Mr.Rms.Sethuraman,
Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-For Anticipatory Bail in Crime No.Not Known of 2021 on the file of the Respondent Police.

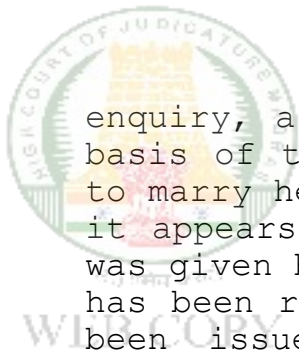
ORDER : The Court made the following order :-

The petitioner/Sole Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Section 420 of IPC, in Crime No.Not known of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and the defacto complainant loved each other. Thereafter, he refused to marry her. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that the defacto complainant given a complaint stating that there was a love affair between her and the petitioner and thereafter, the petitioner refused to marry her. But, the petitioner never agreed to marry her and there is no illegal intimacy with her as alleged by the prosecution. Hence, he seeks anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that based upon the complaint given by the defacto complainant, enquiry was conducted in the previous occasion and during the course of



enquiry, a compromise was reached between two family members on the basis of the undertaking given by the petitioner that he was ready to marry her. Based upon which, earlier complaint was closed. Later, it appears that it was not complied by him. Hence, again complaint was given by the defacto complainant and a case in CP.No.531 of 2021 has been registered against the petitioner. Even though, summon has been issued to the petitioner, he did not appear before the respondent police and co-operate to complete the investigation process.

5.The learned counsel for the petitioner would submit that he appeared before the respondent police and they compelled him to marry her. But, he never agreed to marry her.

6.The learned Additional Public Prosecutor would submit that the defacto complainant was threatened by the petitioner stating that he will upload the photos of the defacto complainant in Social Media.

7.Since serious allegation has been made against the petitioner, he has to appear before the respondent police herein and cooperate with the respondent police to complete the enquiry or investigation as the case may be. During the course of enquiry, any case is registered against the petitioner, he can work out his remedy through appropriate proceedings. Without knowing the contents of the complaint, no anticipatory bail can be granted.

8.With the above said liberty, this criminal original petition stands disposed of.

sd/-

04/01/2022

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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 INSPECTOR OF POLICE
RADHAPURAM POLICE STATION, RADHAPURAM,
TIRUNELVELI DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN

CRL OP(MD) No.20574 of 2021

Date :04/01/2022