



Crl.O.P.Nos.1026 and 1019 of 2023

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WEB C **T.V.THAMILSELVI,J.**

The petitioners, who apprehend arrest for the alleged offence under Section 417, 420, 294(b), 506(1) of IPC in Cr.No.37 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant came to know about the first accused Senthil Kumar/petitioner in Crl.O.P.No.1026 of 2023 through a marriage website, Tamil Matrimony. Thereafter, their marriage was arranged by the elders and from then on A1 was continuously in touch with the defacto complainant. They together along with their friends have also celebrated the defacto complaint's birthday on 29.08.2021, A1 used to frequently visit the house of the defacto complainant. While so on 17.09.2021 when the defacto complainant was alone at her residence, A1 visited her and using her loneliness, stating that their marriage had already been fixed, he had compelled the defacto complainant to have sexual intercourse with him. After some days A1 left Chennai to go to Madurai under the guise of making arrangement for the marriage. However, when the defacto complainant tried to contact him on his mobile, he never



responded. Even the attempt made by the family of the defacto complainant to contact the family members of A1 failed. Thereafter, defacto complainant along with her father visited the residence of the accused at Madurai. At that time, all the three accused A1, A2/brother of A1 and A3/Mother of A1 and A2 had ill-treated her and abused the defacto complainant and her father by using filthy languages and they also refused to conduct marriage. Hence the complaint.

3.The learned counsel appearing for the petitioner in Crl.O.P.No.1019 of 2023 and petitioner in Crl.O.P.No.1026 of 2023/ A3 would submit that the fact that A1 had proposal to marry the defacto complainant is true. However, while verifying the compatibility, his family found that the alliance would not be suitable and hence, they were not interested in the imperformance of the marriage. However, since the defacto complainant's family was having an eye on A1's job, they have been continuously harassing the petitioner and his family members and had filed the present petition. As regards A3, counsel would submit that her name does not even find a place in the FIR. However, the police had issued a notice



calling her for an enquiry and hence, she has also sought for anticipatory bail.

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4.The learned counsel appears for the intervenor submits that the petitioner/A1 is in the habit of cheating girls and he has committed an offence to other women also. Based on the information received through matrimony column A1 contacted the defacto complainant through her phone and got particulars with regard to caste and other formalities and said that he is interested in the marriage. Now after giving false promise the petitioner/A1 refused to marry her. Hence, he prays to dismiss the anticipatory bail petition.

5.The learned Government Advocate (Crl.Side) would submit that the defacto complainant and A1's marriage was arranged and later the family of the accused had stopped the marriage and hence, the complaint . He would submit that the investigation is still pending. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

6.Considering the submissions made by the learned counsel on either side and taking into an account the fact that A1 is refusing to marry the defacto complainant after having sexual intercourse with her, allegedly



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on compulsion under the pretext of marriage, this Court is not inclined to grant Anticipatory bail to the petitioners.

9. Accordingly, these Criminal Original Petitions are dismissed.

19.01.2023

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