



Crl.O.P.No.16779 of 2023

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G.CHANDRASEKHARAN. J.

The petitioner namely Mahadevan, who was arrested and remanded to judicial custody on 16.06.2023 for the offences punishable under Sections 448, 376, 506(ii) IPC in Crime No.6 of 2023 on the file of the respondent police, seeks bail.

2. The learned counsel for the petitioner submitted that, petitioner is falsely implicated in this case in Crime No. 6 of 2023 for the offences under Sections 448, 376, 506(ii) IPC. Petitioner is in judicial custody from 16.06.2023. Petitioner is innocent. It is his further submission that, defacto complainant had consensual relationship with the petitioner and now, she has relationship with some other person. On knowing that, when the petitioner questioned her, defacto complainant gave a false complaint. Thus, he prays for grant of bail.

3. The learned Government Advocate (Crl. Side) opposes this petition, on the ground that, on 14.06.2023, at about 1.30 a.m., petitioner had forcefully entered into the house of the defacto complainant and had forceful sexual intercourse with her. It is his further submission that, investigation in this case is not completed. Therefore, he prays for dismissal of this bail petition.



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4. Considered the submissions and perused the records.

5. In the statement of the defacto complainant recorded under Section 164 Cr.P.C, defacto complainant reiterated the first information report allegations about the rape committed by the petitioner on her. This Court also finds from the Statement under Section 164 Cr.P.C that, petitioner had committed rape on her under threat. It is also stated that, petitioner would murder her, if she did not co-operate to his wish.

6. Considering the nature and seriousness of the allegations and that investigation in this case is not completed, this Court is not inclined to release the petitioner on bail. Accordingly, this Criminal Original Petition is dismissed.

27.07.2023

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G.CHANDRASEKHARAN. J.



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