

CrI.O.P.No.22551 of 2023**C.V.KARTHIKEYAN.,J.**

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The petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 376(2)(n), 417, 315, 294(b) and Section 506(ii) of I.P.C, in Crime No.787 of 2020 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the de-facto complainant was in love with the petitioner and on 09.11.2019, when she returning from the temple, the petitioner had taken her and compelled for sexual intercourse and also promised to marry her. Thereafter, he had intercourse with her on several occasion, due to which she become pregnant and the petitioner compelled her to abort the child and caused injury to her, due to which, she suffered abortion. Hence the case.

3. The learned counsel for the petitioner submitted that the petitioner is innocent. He has been falsely implicated in this case. He further submits that though this Court granted anticipatory bail on 07.08.2020, in CrI.O.P.No.11294 of 2020, due to COVID-19 inadvertence, the petitioner had not executed the sureties. Hence, the present petition has been filed seeking anticipatory bail to the petitioner.



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4. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that subsequent to investigation, the final report had been filed in PRC.No.21 of 2023 before the learned Judicial Magistrate No.II, Jayankondam. It is stated that summons had been issued to the petitioner and also to the other accused. He further submits that though this Court granted anticipatory bail on 07.08.2020, in Crl.O.P.No.11294 of 2020, the petitioner had not executed the sureties. Hence, he opposed for grant of anticipatory bail to the petitioner.

5.Heard the learned counsel for the petitioner and the learned Government Advocate (crl.side) for the respondent police and perused the materials available on record.

6.Taking into consideration the facts and circumstances of the case, the submissions made by the learned counsel on either side, the petitioner is directed to appear before the trial Court and to answer the summons. At this stage, anticipatory bail would not alive. Hence, this Court is not inclined to grant anticipatory bail to the petitioner.

7.Accordingly, this Criminal Original Petition is dismissed.

19.10.2023

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