



CrI.O.P.Nos.23642 & 23757 of 2023

CrI.O.P.Nos.23642 & 23757 of 2023

C.V.KARTHIKEYAN, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 417, 420, 376 IPC, in Crime No.15 of 2023, on the file of the respondent police seek anticipatory bail.

2.It is stated that the defacto complainant is said to have relationship with the first accused though he was married. The relationship continued and the first accused had also committed the offence which comes under Section 376 IPC. There is also a child in the womb of the defacto complainant, which is now eight months old.

3.The learned counsel for the petitioners states that an agreement had been entered into between the petitioners and defacto complainant and that a total sum of Rs.20,00,000/- was agreed to be paid to the defacto complainant and that Rs.10,00,000/- had been paid and there is a delay in payment of second instalment. Therefore, complaint was lodged. It is also contended that defacto complainant knew about the



CrI.O.P.Nos.23642 & 23757 of 2023

first marriage of the first accused and had willingly submitted herself to physical relationship with the first accused. Thus, he prayed for grant of bail to the petitioners.

4.These are the issues, which the petitioners can take during the trial. But *prima facie*, taking the fact that the defacto complainant has a child in the womb aged 8 months and to determine the paternity, the presence of the first accused is required for investigation, at this stage, I am not inclined to grant bail to the petitioners.

5.Accordingly, these Criminal Original Petitions stand dismissed.

16.10.2023

sli



WEB COPY



Crl.O.P.Nos.23642 & 23757 of 2023

C.V.KARTHIKEYAN, J.

sli

Crl.O.P.Nos.23642 & 23757 of 2023

16.10.2023