



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 30/03/2023
PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) . No.5999 of 2023

D.David Sahayaraja

... Petitioner/Sole Accused

Vs

The State rep.by
The Inspector of Police,
All Women Police Station, Srivilliputhur,
Virudhunagar District.
Crime No. 8/2023.

... Respondent/Complainant

For Petitioner : Mr.M.Sheik Abdullah,
Advocate.

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

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

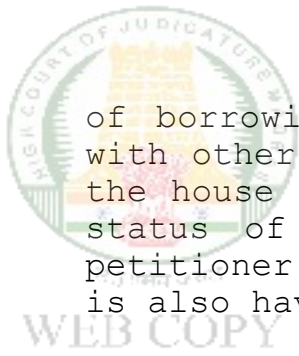
PRAYER :- For Anticipatory Bail in Crime No. 8 OF 2023 on the file of the respondent Police.

ORDER: The Court made the following order :-

The petitioner/sole accused who apprehends arrest at the hands of the respondent police for the offences punishable under sections 417,376,506(i) IPC in Crime No. 8 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner on false promise of marrying the defacto complainant had sexual intercourse with her on several occasions, due to which she became pregnant. Knowing the fact the petitioner herein criminally intimidated her, hence the case.

3. The learned counsel for the petitioner would submit that the petitioner is working as a second Grade Teacher in CSI Primary School at Srivilliputhur for the past 13 years. The defacto complainant was working as temporary teacher as getting only meagre amount of honorarium from the school. The said honorarium was jointly contributed by three teaching staff of the school including the petitioner. Further the defacto complainant is having the habit



of borrowing amount from other teachers and she had acquaintance with other male teachers. The defacto complainant had also come to the house of the petitioner and she had knowledge about the marital status of the petitioner. In order to extract money from the petitioner this false case has been foisted against him. Infact she is also having relationship with many other members.

4. Heard both side and perused the materials available on record including the First Information Report.

5. A perusal of the statement from the defacto complainant reveals that the petitioner was working as a second grade teacher in the same school in which the defacto complainant was working as a teacher. The petitioner on the pretext of marriage had physical relationship with the victim due to which she became pregnant. Whenever the defacto complainant insisted for marriage the petitioner dragged the issue and later the defacto complainant found that the petitioner is a married man and gave birth to female child, thereby the petitioner herein had cheated the defacto complainant and had committed a grave offence as against the defacto complainant, therefore custodial interrogation of the petitioner is very much required in this case, hence this Court is not inclined to grant anticipatory bail to the petitioner.

6. In the result, the petition stands dismissed.

sd/-

30/03/2023

/ TRUE COPY /

/04/2023

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

AAV

TO

- 1 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, SRIVILLIPUTHUR,
VIRUDHUNAGAR DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN

CRL OP(MD) No.5999 of 2023

Date :30/03/2023

SA/CG/SAR.4/05.04.2023/2P/3C