



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 17/05/2023

PRESENT

The Hon`ble Mrs.Justice T.V.THAMILSELVI

CRL OP(MD) . No.8818 of 2023

Raja

... Petitioner/Sole Accused

Vs

State rep. by
The Inspector of Police,
All Women Police Station,
Tenkasi.
(Crime No.20 of 2022).

... Respondent/Complainant

For Petitioner : M/s.Saravanakumar.C,
Advocate.

For Respondent : Mr.R.Sivakumar,
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For Bail in Crime No.20 of 2022 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who was arrested and remanded to judicial custody on 04.04.2023 for the offences punishable under Sections 417 and 376 IPC in Crime No.20 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner, by giving false promise to marry the de-facto complainant, had physical relationship with her. Due to which, the de-facto complainant got pregnant. After knowing the pregnancy of the de-facto complainant, the petitioner refused to marry her. Hence, the case.

3.The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case, hence, he prayed for bail.



4.The learned Government Advocate (Crl.Side) appearing for the respondent raised objection stating that the petitioner, by giving false promise to marry the de-facto complainant, had physical relationship with her. Due to which, the de-facto complainant got pregnant and also gave birth to a child. The petitioner was already undergone for DNA test and they awaiting for the report.

5.At this juncture, the learned counsel for the petitioner would submit that the petitioner is no way connected with the alleged birth of the child.

6.Considering the submissions made by the learned counsel on either side and on considering the fact that if the petitioner is released on bail, he will tamper the evidence, this Court is not inclined to grant bail to the petitioner.

7.Accordingly, this Criminal Original Petition stands dismissed.

sd/-

17/05/2023

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/05/2023

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

SJI

TO

1. The Superintendent, Central Prison, Palayamkottai.
2. The Inspector of Police,
All Women Police Station,
Tenkasi.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER

IN

CRL OP(MD) No.8818 of 2023

Date : 17/05/2023

NA/VR/SAR-2/22.05.2023/2P/4C