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CRL OP(MD).



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

Date : 19/06/2023

PRESENT

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

CRL OP(MD) . No.9582 of 2023

Evangeline Rehma,

... Petitioner/3rd party/Victim

Vs

1. Pradeepan,

... Respondents/Petitioner/Accused

2. State rep by

The Inspector of Police,
All Women Police Station,
Rameswaram

(Crime No.2 of 2023).

...Respondent/Respondent/Complainant

For Petitioner : M/s. Arun Swaminathan.RM,
Advocate.

For Respondents :Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side) for R2

PRAYER :-

To Cancel the Anticipatory Bail granted by the learned Sessions Judge(Fast Track Mahila Court), Ramanathapuram to the 1st respondent in Crl MP No.743/2023 dated 19.04.2023.

ORDER : The Court made the following order :-

This Petition is filed to Cancel the Anticipatory Bail granted by the learned Sessions Judge(Fast Track Mahila Court), Ramanathapuram, to the 1st respondent in Crl. M.P. No.743/2023 dated 19.04.2023.

2. The learned counsel for the petitioner would submit that the accused took some photos and videos of the private parts of the petitioner and already the accused leaked some pictures to her relatives and the mobile phones and laptop has to be seized by the



respondent police. He would further submit that while granting anticipatory bail to the accused, the lower Court failed to consider that the investigation is premature stage and custodial interrogation of the accused is necessary and hence, prayed to cancel the anticipatory bail granted to the accused.

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3. The learned counsel for the first respondent-accused would submit that their marriage also got duly registered and the petitioner duly accepted that the petitioner is legally wedded. However, without living with the first respondent-accused, now, she lodged the complaint.

4. Heard both sides and perused the material available on record.

5. On perusal of the records reveals that the petitioner had love affair with the first respondent from the year 2018. Thereafter, they had physical relationship will the year 2022. The first respondent had taken some photos and thereafter, on showing the photographs, he threatened the victim girl, to have physical relationship. On 07.05.2022, they got married and thereafter, they applied registration of the marriage and on 25.05.2022, their marriage was duly registered with the Ambattur Sub Registrar in Document No.1022/2022. It is also admitted that when the petitioner was studying in hostel and pursuing her studies, these facts were happened between the petitioner and the first respondent herein. Thereafter, photographs were shown her father and hence, she lodged a complaint on 03.04.2023. In pursuant to the registration of the F.I.R, the first respondent apprehends arrest and he approached the court below, for seeking anticipatory bail and anticipatory bail was granted to the first respondent.

6. Now, this Petition is filed to cancel the anticipatory bail on the ground that the first respondent had taken photos and videos of the petitioner and sent to the relatives of the petitioner herein. Therefore, custodial interrogation of the first respondent is very much required and seeks cancellation of anticipatory bail granted to the first respondent.

7. As stated supra, on perusal of the records reveals that they lived together and the marriage also registered with Registration No.1022/2022. In fact if the petitioner is aggrieved by the registration of marriage, immediately, she has lodged the complaint. However, she lodged the complaint only after a year. She lived together at Chennai. Therefore, the petitioner failed to make out any ground to cancel the anticipatory bail to the first respondent.



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8. Hence, this Petition is dismissed. If any untoward incident happened subsequently, the petitioner is at liberty to lodge a fresh complaint on fresh cause of action.

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

TO

1. The Sessions Judge (Fast Track Mahile Court)
Ramanathapuram.
2. The Inspector of Police,
All Women Police Station,
Rameswaram
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.T.VEERAKUMAR, Advocate (SR-9065[I] dated 19/06/2023)

ORDER
IN
CRL OP(MD) No.9582 of 2023
Date :19/06/2023

DL/MGA/(26.06.2023)/ 3P/ 5C