



WEB COPY



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/06/2023

PRESENT

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

CRL OP(MD). No.10052 of 2023

Raja

... Petitioner/Sole Accused

Vs

The State represented 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.M.Anubunithi,
Additional Public Prosecutor

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

PRAYER :-

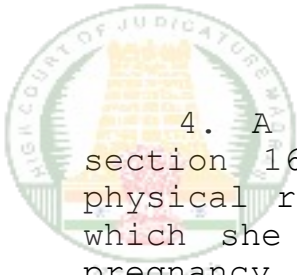
For Bail in Crime No.20 of 2022 on the file of the Respondent Police.

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. Heard both sides and perused the materials available on record including the First Information Report and the statement of the victim recorded under section 164 of Cr.P.C.



4. A perusal of the statement of the victim recorded under section 164 of Cr.P.C reveals the fact that the petitioner had physical relationship with the victim on several occasions, due to which she got pregnant and when she was under seventh month of pregnancy the victim compelled to marry her. Only thereafter the victim came to know that the petitioner was a married man, thereafter the petitioner left the victim in lurch. The victim also gave birth to the child. On the pretext of marriage, the petitioner had committed rape on the victim and as such the petitioner had committed very serious and heinous offence as against the unmarried women, hence this Court is not inclined to grant bail to the petitioner.

5. In the result, the petition stands dismissed.

sd/-

09/06/2023

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/06/2023

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

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TO

- 1 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, TENKASI.
- 2 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.10052 of 2023

Date :09/06/2023

SS/CG/13/06/2023/2P/4C