



CRL OP(MD). No.13726 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.13726 of 2023

Ajithkumar,

... Petitioner/Sole Accused

Vs

The Inspector of Police,
All Women Police Station,
Rural Tirunelveli,
Tirunelveli District,
Crime No.08/2023.

... Respondent/Complainant

For Petitioner : M/s. INDRACHITHU.T,
Advocate.

For Respondent : Mr.B.NAMBISELVAN,
Additional Public Prosecutor

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

PRAYER :- For Bail in Crime No.08 of 2023 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioner/Sole Accused herein, who was arrested on 16.05.2023 for the alleged offence under Sections 417, 376 of IPC in Crime No.8 of 2023, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the defacto complainant and the petitioner were in love affair and on false promise, the petitioner had physical relationship with



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the defacto complainant. Therefore, she became pregnant. But, later he refused to marry her. Hence, the complaint.

3. On the ground that it is a consensual relationship between the petitioner and the defacto complainant, this petition has been filed. The learned Additional Public Prosecutor would submit that on the false promise of marriage, the victim was subjected to frequent sexual relationship.

4. Reading of the statement shows that the above said affair was in existence before his marriage with some other girl. After the marriage, he has two children through his wife. These are all the facts for consideration by the trial Court. Moreover, DNA test report yet to be released. Considering the gravity of offence, even though the petitioner is in custody for more than 77 days, this Court is of the view that if the petitioner is released on bail further investigation process will be hampered. Therefore, this Court is not inclined to grant bail to the petitioner.

5. Accordingly, this criminal original petition stands dismissed.

sd/-
03/08/2023

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/09/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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TO

WEB COPY

1 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
RURAL TIRUNELVELI,
TIRUNELVELI DISTRICT.

2 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI,
TIRUNELVELI DISTRICT

3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.T.INDRACHITHU, Advocate (SR-11722[I] dated 03/08/2023)

ORDER
IN

CRL OP(MD) No.13726 of 2023

Date :03/08/2023

SA/JGB/SAR. /07.09.2023/3P/5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.