



CrI.A.No.671 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.06.2024

CORAM

THE HONOURABLE **MR.JUSTICE M.DHANDAPANI**

CrI.A.No.671 of 2024

Mohankumar

...Appellant/Accused (A1)

Vs.

1.State by
Deputy Superintendent of Police,
Gummidipoondi,
Thiruvallur District.

2.Inspector of Police,
All Women Police Station,
Gummidipoondi,
Thiruvallur District.

...Respondents/Complainants

3.Vanjana

...Respondents/Defacto-complainant

PRAYER: Appeal filed under Section 14A of the Scheduled Castes and Schedule Tribes Amendment Act, 2015 to set aside the order passed by the Learned Principal District and Sessions Judge, Thiruvallur in CrI.MP.No.2602 of 2024 dated 16.05.2024 and enlarge the appellant on bail concerned in Crime No.1 of 2024 on the file of Inspector of Police, All Women Police Station, Gummidipoondi, Thiruvallur District.

For Appellant : Mr.S.Sasikumar

For Respondent : Mrs. G.V.Kasthuri

Addl.Public Prosecutor, for R1 & R2
R3 appeared in person



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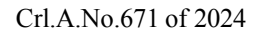
J U D G M E N T

The Criminal Appeal has been filed as against the order of dismissal of Bail application in Crl.MP.No. 2602 of 2024 dated 16.05.2024 passed by the learned Principal District and Sessions Judge, Thiruvallur.

2. The case of the prosecution is that the de-facto complainant Vanaja lodged a complaint against the petitioner stating that the petitioner cheated her by false promise to marry her and he had physical relationship with her. It is further alleged that he refused to marry her and the petitioner's parents demanded jewels and they abused her caste name. Hence, the complaint.

3. The victim girl/third respondent herein appeared before this Court and when this Court posed a question as to whether she is willing to marry the appellant, she refused to marry him but she expressed no objection to release the appellant on bail.

4. Learned counsel for the appellant submitted that the appellant is innocent and he was falsely implicated in a case registered for the offence under Sections 417, 376(2)(n), 506(i) of IPC r/w 3(1)(w)(i), 3(1)(w)(ii) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act 1989 in Crime No.1 of 2024 and remanded to judicial



(b) the appellant shall report before
the respondent police daily at 10.30 a.m. until



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further orders;

(c) the appellant shall not tamper with evidence or witness either during investigation or trial;

(d) the appellant shall not abscond either during investigation or trial;

*(e) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the appellant in accordance with law as if the conditions have been imposed and the appellant released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]**; and;*

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

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Note: Issue order copy on 12.06.2024.



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To

1. Deputy Superintendent of Police,
Gummidipoondi,
Thiruvallur District.

2. Inspector of Police,
All Women Police Station,
Gummidipoondi,
Thiruvallur District.

3. The Principal District
and Sessions Judge, Thiruvallur

4. The Public Prosecutor,
High Court, Madras.

5. The Central Prison, Puzhal.

M.DHANDAPANI, J.

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