



CRL OP(MD) No.19669 of 2023

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

Monday, the Eighth day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.19669 of 2023

M.GAHAN J RAM

... PETITIONER / ACCUSED RANK NOT KNOWN

Vs

THE SUB INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
BODINAYAKKANUR,
THENI DISTRICT.

(CR.NO.NOT KNOWN OF 2023)

... RESPONDENT / COMPLAINANT

S.HEMALATHA

...PETITIONER/DEFACTO COMPLAINANT
IN CRL MP(MD)No. 180 of 2024

For Petitioner : M/S. SARAVANA KUMAR.S Advocate

For Respondent : MR.P.KOTTAICHMAY

Govt. Advocate (Crl. Side)

For Intervenor: M/S. A.ARUL JENIFFER, Advocate
in Crl MP(MD)No. 180 of 2024

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

PRAYER:

FOR ANTICIPATORY BAIL IN CRIME NO. NOT KNOWN OF 2023 ON THE
FILE OF THE RESPONDENT POLICE.



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ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent Police for the alleged offence under Sections 417, 420 of IPC, in Crime No. Not Known of 2023, seek anticipatory bail.

2. The case of the prosecution is that the petitioner and the defacto complainant are relatives and they have performed the marriage on 16.04.2023 not even attaining majority. Subsequently, the petitioner refused to live with the defacto complainant. So, the defacto complainant made a complaint before the Deputy Superintendent of Police, Bodinayakanur, Theni District, at that time, the petitioner promised to brought the defacto complainant with him within four months I.e., after completion of his studies. Thereafter, the petitioner stopped all communications with the defacto complainant. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that that the petitioner has not committed any offences as alleged by the prosecution. Actually, the petitioner and the defacto complainant are relatives. The petitioner is studying at Bangalore and when he returned to his native, the defacto complainant expressed her love, but, the petitioner refused to accept her love. Hence, the false case has been foisted. Hence, he prays to grant anticipatory bail to the petitioner.



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4. The learned counsel for the intervenor would submit that the marriage was performed between the petitioner and the defacto complainant in a temple without consent of their parents. Subsequently, there was physical relationship between them. Thereafter, the petitioner refused to live with the defacto complainant. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. The learned Government Advocate (Crl.Side) appearing for the State would submit that investigation is pending.

6. Considering the facts and circumstances of the case and also considering the allegations levelled against the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, this Criminal Original Petition is dismissed.

sd/-
08/01/2024

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/01/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

INDU
TO

1 THE SUB INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
BODINAYAKKANUR, THENI DISTRICT.

<https://www.mhc.tn.gov.in/judis>



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

ORDER
IN
CRL OP(MD) No.19669 of 2023
Date :08/01/2024

PKP/GS/SAR /31.01.2024/ 4P/ 3C

Madurai Bench of Madras High Court is issuing certified
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