



CRL OP(MD). No.705 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/01/2024

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.705 of 2024

Pandi,

... Petitioner/ Accused

Vs

The Inspector of Police,
All Women Police Station, Theni,
Theni District.
Cr.No.14/2023.

... Respondent/ Complainant

For Petitioner : Mr.R.SUNDAR,
Advocate.

For Respondent : Mr.R.SURESH KUMAR,
Government Advocate (Crl.Side)

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

PRAYER :- For Anticipatory Bail in Cr.No.14/2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/ Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 417, 493 of IPC and Section 4 of TNPWH Act, in Crime No.14 of 2023 on the file of the respondent police, seeks



CRL OP(MD). No.705 of 2024

anticipatory bail.

WEB COPY

2.The defacto complainant lodged the complaint stating that she was working in a marketing place for some time. At that time, the accused came known to her. He was working in Army. Promising to marry her, subjected her frequent sexual intercourse and later started living in Theni area. But, abandoning her in that place. Later she came to know that he married one Abirami. Stating that she was cheated under false promise and subjected her to frequent sexual intercourse, she lodged a complaint.

3. On 17.05.2023, after hearing the learned counsel for the petitioner, learned Government Advocate and the learned counsel for the intervenor, interim bail was granted to the petitioner and the matter was referred to the Mediation Centre. In the Mediation Centre the attitude and the conduct of the petitioner is not good. Therefore, considering the attitude and conduct of the petitioner before the Mediation Centre, this Court dismissed the anticipatory bail application on 09.08.2023.

4.Thereafter, he filed another application, it was dismissed for default. This is the third anticipatory bail application filed by the petitioner.

5. Now the learned Government Advocate (Crl. Side) would submit that now charge sheet has been filed before the Additional Mahila Court, Theni, for the offences punishable under Sections 417, 493 of I.P.C and Section 4 of the TNPHW Act.



CRL OP(MD). No.705 of 2024

WEB COPY

6.The learned counsel for the petitioner would submit that in stead of repeated mediation the defacto complainant insisting upon the payment of Rs.10,00,000/-.

Because of the attitude of the defacto complainant, he could not resolve the matter.

7.Whatever may be, considering the nature of offence, the petitioner is not entitled for anticipatory bail before this Court. Since the charge sheet was filed, the petitioner shall surrender before the concerned Court itself and seek regular bail.

8.With the above said direction, this criminal original petition stands dismissed.

sd/-
29/01/2024

/ TRUE COPY /

/02/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TM
TO
1 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, THENI,
THENI DISTRICT.

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

+1 CC to M/s.R.SUNDAR, Advocate (SR-1081[I] dated 29/01/2024)



WEB COPY



CRL OP(MD). No.705 of 2024

ORDER
IN
CRL OP(MD) No.705 of 2024
Date :29/01/2024

SA/JGB/SAR. /12.02.2024/4P/4C

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