



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

Friday, the Twentieth day of December Two Thousand Thirteen

PRESENT

The Hon`ble Mr.Justice M.SATHYANARAYANAN

CRL OP(MD) No.23197 of 2013

1 S. VENKATESH
2 V. SUBBURAM
3 R. RAGAVAN

... PETITIONERS/ ACCUSED 1 to 3

Vs

THE STATE REP. BY THE SUB-INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, SOUTHVELI ST.,
MADURAI SOUTH, MADURAI CITY, MADURAI. ... RESPONDENT(S) / COMPLAINANT(S)

For Petitioner : M/S.M.RAVI SHANKAR Advocate

For Respondent : Mr.K.V.Rajarajan Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

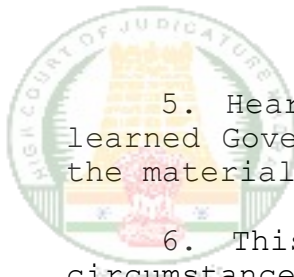
There are totally three accused and these petitioners are arrayed as A1 to A3 and they apprehending arrest at the hands of the respondent police for the alleged Commission of offences punishable under sections 498(A), 406 and 506(i) IPC and Section 4 of Tamilnadu Prohibition of Women Harassment Act, 1998, in Crime No.34 of 2013, seek anticipatory bail.

2. The case of the prosecution is that the marriage between her and the first petitioner was solemnised on 18.10.2012 and right from the date of marriage, she is subjected to harassment and ill-treatment at the hands of her husband and in-laws.

3. Learned counsel for the petitioner would submit that the complaint is nothing but false and concocted and in fact the defacto complainant got married one Nagaraj and begotten two children and during subsistence of the marriage, she has developed intimacy with the first petitioner and represented that she got divorce and thereafter married the first petitioner, but the fact remains that she has not divorced her husband and more over, she belong to different religion and without disclosing the same, she married the first petitioner in Hindu temple and that the first petitioner filed a petition in O.S.No.40 of 2013 before the Family Court, Madurai, to declare the marriage as null and void and as the counter blast to the case only, the present complaint is filed. It is his further submission that on an earlier occasion, the petitioner through legal aid given a complaint to the Commissioner of Police and she was advised to take appropriate action.

<https://hcservices.ecourts.gov.in/hcservices/>

4. Learned Government Advocate (crl. side) would submit that the investigation is pending.



5. Heard the learned counsel appearing for the petitioners and the learned Government Advocate(crl. Side) appearing for the State and perused the materials available on record.

6. This Court, taking into consideration of the above facts and circumstances of the case, is inclined to enlarge the petitioners on anticipatory bail. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate No.I, Madurai and on executing a personal bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the first petitioner shall appear before the respondent police daily at 05.00 p.m. for a period of two weeks and thereafter, as and when required, for interrogation. The petitioners 2 & 3 shall appear before the respondent police, as and when required for interrogation. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C., scrupulously.

7. The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready failing which, the petition for anticipatory bail stands dismissed.

sd/-
20/12/2013

/ TRUE COPY /

Sub-Assistant Registrar

TO

- 1 THE JUDICIAL MAGISTRATE, NO.I, MADURAI.
- 2 THE CHIEF JUDICIAL MAGISTRATE MADURAI.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
- 4 THE SUB-INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, SOUTHVELI ST.,
MADURAI SOUTH, MADURAI CITY, MADURAI.

+1. CC to M/S.M.RAVI SHANKAR Advocate SR.No.64079.

TS/20.12.2013/2P-6C

ORDER
IN
CRL OP(MD) No.23197 of 2013
Date :20/12/2013