



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

Wednesday, the Twenty Fifth day of February Two Thousand Fifteen

PRESENT

WEB COPY

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP (MD) No.1473 of 2015

VELAYUTHAM

... PETITIONER / 1st ACCUSED

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
ALL WOMENS POLICE STATION,
MELUR, MADURAI DISTRICT.
CRIME NO.8/2015.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.R.ANAND, Advocate

For Respondent : M/S.A.P.BALASUBRAMANIAN, Govt. Advocate (Crl.Side)

For Intervener : MR.R.MANOCHARAN, Advocate

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 498(A) and 406 IPC r/w Section 4 of TNPHW Act in Crime No.8 of 2015 on the file of the respondent police, seeks anticipatory bail.

2. Heard Mr.R.Anand, learned counsel for the petitioner, Mr.Saravanakumar, learned counsel for the Intervenor and the learned Government Advocate (Crl.Side) appearing for the State.

3. It is the case of the defacto complainant that she got married to the petitioner on 21.08.2002 and two days prior to her marriage, i.e., on 19.08.2002, her father was forced to sell the property, which is a Mango grove to this petitioner as a consideration for marriage. After marriage, the petitioner and the defacto complainant were blessed with one son, who is now in the custody of the petitioner and the defacto complainant has been left

In lurch. The defacto complainant submitted that she has no means to take care of herself. The learned counsel for the defacto



complainant further submitted that a case in HMOP No.531 of 2014 filed by the petitioner against the defacto complainant is pending.

4. Be that as it may, the allegations in the complaint appear to be indeed serious inasmuch as the defacto complainant's father has executed a sale deed two days prior to the marriage in favour of the petitioner and now she is without any means to maintain herself.

5. Learned Government Advocate (Crl.Side) on instructions from the Police submitted that during the pendency of this petition, the petitioner has filed a petition for similar relief before the learned Principal District Judge, Madurai and the same is pending.

6. Learned counsel for the petitioner submitted that the brothers of the defacto complainant had assaulted him for which a case in Crime No.528 of 2014 for offences under Sections 147, 294 (b), 323 and 379(NP) IPC was registered against them.

7. Be that as it may, the fact remains that this petitioner has obtained the lands of the defacto complainant's father two days prior to his wedding and thereafter, he has left the defacto complainant in lurch.

8. Taking into consideration the serious nature of allegations against this petitioner, this Court is not inclined to grant anticipatory bail to him. Hence, the Criminal Original Petition stands dismissed.

sd/-
25/02/2015

/ TRUE COPY /

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

TO

1 THE INSPECTOR OF POLICE,
ALL WOMENS POLICE STATION, MELUR, MADURAI DISTRICT.

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

+1. CC to M/S.R. ANAND, Advocate SR.No.8837.