



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

Monday, the Fourth day of January Two Thousand Sixteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.17669 of 2015

MOHAMMED ALI

... PETITIONER/ACCUSED NO.1

Vs

STATE REP BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION
VIRDHUNAGAR DISTRICT
(CRIME NO.20/2015)

... RESPONDENT / COMPLAINANT

FOR PETITIONER : MR.SUSIKUMAR, ADVOCATE
FOR RESPONDENT : MR.A.P.BALASUBRAMANI, GOVERNMENT ADVOCATE (CRL.SIDE)
FOR INTERVENOR : MR.D.FARJANA GHOUSHIA, ADVOCATE

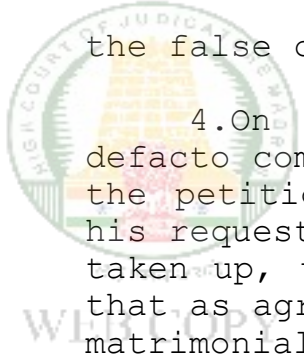
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused No.1, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 497, 506(i) of IPC, in Crime No.20 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that the marriage between the petitioner and the defacto complainant was solemnized on 25.07.2011. In the wedlock three female children were born and two children were died. The petitioner is working in Saudiaribiya and used to visit the matrimonial home twice in the year. While so, the petitioner had an illegal relationship with the second accused, who is the maternal uncle's wife of the petitioner. At the instigation of A2, the petitioner abused the defacto complainant with filthy language and threatened her. The petitioner handed over all the original documents to A2 and A2 mortgaged the house property. When the defacto complainant questioned the same, the petitioner threatened her with dire consequences. Therefore, the case has been registered for the above said offences.

3.The case of the petitioner is that he is innocent and he has not committed any offence as alleged by the prosecution. The defacto complainant used to quarrel with the petitioner for flimsy reasons. Due to financial crisis, the petitioner mortgaged his house with the help of A2. The defacto complainant, who was not willing to mortgage the house, aggrieved by the mortgage by the petitioner, preferred



the false complainant against the petitioner.

4. On 17.12.2015, the petitioner, his mother as well as the defacto complainant were present before this Court and at that time, the petitioner agreed to live with the defacto complainant and at his request, the matter was listed today. Today, when the matter was taken up, the learned counsel for the defacto complainant submitted that as agreed, the petitioner did not come and join with her in the matrimonial home. The mother of the petitioner also expressed the said submission.

5. Considering the serious allegations levelled against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Hence, this petition is dismissed.

Sd/-

04/01/2016

/ TRUE COPY/

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

TO

1. THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION ,
VIRDHUNAGAR DISTRICT.

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

+ 1 CC TO MR.G.MARIAPPAN, ADVOCATE IN SR NO. 132
+ 1 CC TO MR. M.SUBASH BABU, ADVOCATE IN SR NO. 508

ORDER

IN

CRL OP(MD) No.17669 of 2015

Date :04/01/2016

PS

TE/SK-SKN/SAR-II : 11/01/2016 : 2P/5C