



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

Monday, the Twenty Fifth day of July Two Thousand Sixteen
PRESENT

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

CRL OP(MD) No.11879 of 2016

WEB COPY

- 1 SRIRAM SHARMA
- 2 ANNADURAI
- 3 VENNILA
- 4 SAKKARAVARTHI
- 5 RASAMMAL
- 6 DHANAPAL
- 7 CHETTI SAMAIYALKARAN
- 8 BOOVAYI
- 9 JANSIRANI
- 10 SEKAR
- 11 ARULKUMAR
- 12 BRINDHA (KUTTIS)

... PETITIONERS/ACCUSED

Vs

STATE REP BY THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, MUSIRI,
TRICHY DISTRICT. (CR.NO.7 OF 2016)... RESPONDENT/COMPLAINANT

For Petitioner : M/S C.DEIVASIGAMANI Advocate

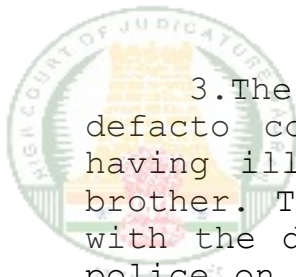
For Respondent : MR.P.KANNITHEVAN Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as Accused, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 148, 294(b), 494 and 506(ii) of IPC, in Crime No.7 of 2016, on the file of the respondent police and hence, seek anticipatory bail.

2.The case of the prosecution is that the marriage between the first petitioner and the defacto complainant was solemnized on 14.06.2006. A female child was born in the wedlock. The petitioners tortured the defacto complainant and chased her out from the matrimonial home. The defacto complainant filed M.C.No.33/2015 before the learned Judicial Magistrate, Duraiyur for maintenance. The petitioners arranged for marriage of the first petitioner with 12th petitioner at Jembunathapuram Murugan Kovil on 10.01.2016. On coming to know the fact, the defacto complainant and her parents went to the Temple and tried to stop the marriage. At that time, the petitioners threatened the defacto complainant and her parents and tried to kill with Aruval of the Temple. On complaint, case has been registered for the above said offences.



3.The case of the petitioners is that after the marriage the defacto complainant used to go to her parents house and she is having illicit intimacy with one Kumar, who is the step mother's brother. The first petitioner tried to reconcile and wanted to live with the defacto complainant. She has given a complaint before the police on two occasions. The first petitioner filed H.M.O.P.No.5035 of 2014 before the Principal Family Court, Chennai for divorce. The petitioners are innocent persons and they have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case and prays for anticipatory bail in favour of the petitioners.

4.The learned Government Advocate (Crl.side) submitted that the defacto complainant is the wife of the first petitioner. The 12th petitioner is the second wife of the first petitioner. All the petitioners tortured the defacto complainant and chased her out from the matrimonial home and the allegations made against the petitioners is that the first petitioner married the 12th petitioner. On investigation, it was found that the first petitioner married the 12th petitioner on 10.01.2016 and both are living together. When the defacto complainant tried to stop the marriage, all the accused persons threatened and attacked the defacto complainant. The complaint is under investigation.

5.The allegation against the petitioners is that they have tortured the defacto complainant and all of them conducted the marriage of the first petitioner.

6.Considering the serious allegations made against the petitioners and the investigation is pending, this Court is not inclined to grant anticipatory bail to the petitioners. Hence, this petition is dismissed.

sd/-
25/07/2016

/ 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, MUSIRI, TRICHY DISTRICT.
- 2 THE ADDL PUBLIC PROSECUTOR
MADRURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S C.DEIVASIGAMANI Advocate SR.No.39104

ORDER
IN
CRL OP(MD) No.11879 of 2016
Date :25/07/2016