



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

Monday, the Twenty Ninth day of August Two Thousand Sixteen
PRESENT

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

CRL OP (MD) No.12938 of 2016

WEB COPY

1 KARUPPAIAH
2 MOOKAN
3 MURUGAYEE

... PETITIONERS/ACCUSED 1 TO 3/PETITIONERS

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
THIRUMAYAM, PUDUKKOTTAI DISTRICT.
IN CRIME NO. 2 OF 2016 ... RESPONDENT/COMPLAINANT/RESPONDENT

For Petitioner : M/S.C.NAGAMUTHU 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 Nos.1 to 3, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 498(A) and 494 IPC, in Crime No.2 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 *de-facto* complainant and the first petitioner was solemnized on 04.09.2008. At the time of marriage, the parents of the *de-facto* complainant gave 10 sovereigns of gold jewels and other house hold articles to her. A female child was born in the wedlock. After the marriage, the petitioners tortured the *de-facto* complainant by demanding additional dowry and beaten her severely and also threatened her that they will arrange a marriage to the first petitioner with another lady. The petitioners locked the house and thrown her out from the matrimonial home. The *de-facto* complainant is doing coolie work and maintaining the female child. While so, the *de-facto* complainant came to know that the petitioners 2 and 3 arranged a marriage to the first petitioner with one Lalitha, D/o.Palanisamy and Rajeswari, and both are residing at Chennai. On complaint, a case has been registered for the offences stated above.

3. The case of the petitioners is that they are innocent persons and they have not committed any offence as alleged by the prosecution.



4. In compliance with the order passed by this Court, dated 18.08.2016, today, both the *de-facto* complainant and the petitioners 1 and 3 are present before this Court. The first petitioner admitted that he married one Lalitha and residing at Chennai.

5. The learned Government Advocate (Criminal side) submitted that on receiving a complaint from the *de-facto* complainant, the case has been registered and investigation is going on.

6. Considering the serious nature of allegations levelled against the petitioners and also considering the fact that the petitioners 2 and 3 arranged a marriage to the first petitioner with one Lalitha, while the marriage with the *de-facto* complainant and the first petitioner is subsisting, custodial interrogation of the petitioners is required. Hence, this Court is not inclined to grant anticipatory bail to the petitioners. Accordingly, the Criminal Original Petition is dismissed.

sd/-
29/08/2016

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

TO

- 1 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
THIRUMAYAM, PUDUKKOTTAI DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.12938 of 2016
Date :29/08/2016

PA/CK/SAR I/07.09.2016/2P/3C