



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

Tuesday, the Sixteenth day of August Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.14038 of 2016

N.ELANGO

... PETITIONER/ACCUSED No.1

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
SAMAYANALLUR,
MADURAI DISTRICT.
(CRIME NO.41/2016)

... RESPONDENT / COMPLAINANT

VILASINI

...PETITIONER/DEFACTO COMPLAINANT/
INTERVENOR.

For Petitioner : M/S J.JEYAKUMARAN Advocate

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

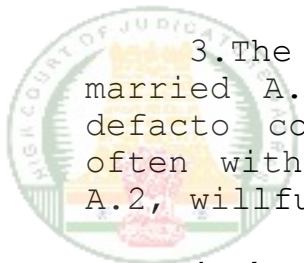
For Intervenor : M/S.N.KARTHIK KANNA, Advocate.

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 294(b), 498(A), 506(i) IPC and Section 4 of Tamil Nadu Prohibition of Women Harassment Act, in Crime No.41 of 2016 on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that the marriage of the defacto complainant and petitioner was love marriage and the same was solemnized on 04.12.1988. In the wedlock, two male children were born and the petitioner is an alcoholic addict and he used to come home after consuming liquor. While so, the defacto complainant came to know that the petitioner married A.2 before 5 years back. When the same was questioned, the petitioner and A.2 threatened her with dire consequences and stated that they will kill her and thrown her out of her matrimonial home. On complaint, case has been registered against the petitioner for the above said offences.



3.The case of the petitioner is that the petitioner has not married A.2 and A.2 is the family friend of the petitioner and defacto complainant and the defacto complainant quarrelled very often with the petitioner that the petitioner would have married A.2, willfully left the petitioner and residing with her son.

4.The learned counsel for the Intervenor reiterated the averments made in the complaint and he has also filed a typed-set of papers containing the messages sent by A.2 to the son of the defacto complainant and he would further submit that the petitioner lived with A.2 in the matrimonial home and thrown out the defacto complainant.

5.The learned Government Advocate (Criminal Side) submitted that the investigation is pending.

6.Considering the serious nature of allegation levelled against the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner and accordingly, this Criminal Original Petition is dismissed.

sd/-
16/08/2016

/ 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, SAMAYANALLUR,
MADURAI DISTRICT.

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

+1. CC to M/S J.JEYAKUMARAN Advocate SR.No.45070
+1CC to M/S.N. Karthick Kanna, Advocate, SR.No. 45122

ORDER
IN
CRL OP(MD) No.14038 of 2016
Date :16/08/2016

AM/KBM/SAR-I/22.08.2016/2P/5C