



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

Monday, the Eighth day of August Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.14094 of 2016

1 SWAMINATHAN
2 MUNEESWARAN

... PETITIONERS/ACCUSED 2&3

Vs

THE STATE REP. BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
ARUPPUKOTTAI,
VIRUDHUNAGAR DISTRICT.
(CRIME NO. 19 OF 2016)

... RESPONDENT/COMPLAINANT

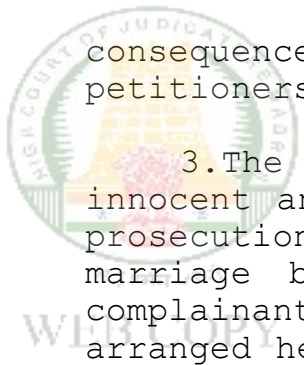
FOR PETITIONER : M/S B.JAMEEL ARASU, ADVOCATE
FOR RESPONDENT : Mr.P.KANNITHEVAN, GOVERNMENT ADVOCATE (CRL. SIDE)

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.2 & 3, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 506(i), 507 and 509 IPC and Section 67(B)(b) of Information Technology Act and Sections 11 and 12 of POCSO Act, 2012, in Crime No.19 of 2016 on the file of the respondent police and hence, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant's family and the petitioners' family are relatives and they jointly went to Puniyampatti for Panguni Pongal festival and at that time, Accused No.1, who is the son of the first petitioner, took photograph of the defacto complainant's daughter, namely Yamuna, and the petitioners and other accused insisted for marriage between Accused No.1 and the defacto complainant's daughter. The defacto complainant refused for the marriage between his daughter and Accused No.1 and sent her daughter to her grandmother's house. In the mean time, the petitioners and other accused gave a false complaint before the Social Welfare Officer, Virudhunagar, alleging that the defacto complainant arranged marriage for her daughter and the said marriage is more fully a child marriage. While enquiry is pending before the Social Welfare Officer, the petitioners and other accused persons uploaded the photograph of the daughter of the defacto complainant in the face book and threatened them with dire



consequences. On complaint, case has been registered against the petitioners.

3.The case of the petitioners is that the petitioners are innocent and they have not committed any offence as alleged by the prosecution. The petitioners and other accused requested to arrange marriage between Accused No.1 and the daughter of the defacto complainant. The defacto complainant refused for marriage and arranged her daughter's marriage with other person. The petitioners gave a compliant before the Social Welfare Officer that the defacto complainant arranged for a child marriage. Due to that motive, the defacto complainant has given a false complaint against the petitioners.

4.The learned Government Advocate (Criminal Side) submitted that when the defacto complainant refused to arrange marriage between Accused No.1 and the daughter of the defacto complainant, the petitioners along with other accused have taken photograph of the daughter of the defacto complainant and uploaded the same in the face book and insisted for marriage between Accused No.1 and the daughter of the defacto complainant and the investigation is pending.

5.Considering the serious nature of allegations levelled against the petitioners, this Court is not inclined to grant anticipatory bail to the petitioners. Accordingly, this Criminal Original Petition is dismissed.

sd/-
08/08/2016

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

TO

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

ORDER
IN
CRL OP (MD) No.14094 of 2016
Date :08/08/2016

PS

<https://hcservices.ecourts.gov.in/hcservices/>
LE/ARK-IV/SAR-1 : 12/08/2016 : 2P/3C