



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

Thursday, the Twenty Eighth day of December Two Thousand Seventeen

PRESENT

**The Hon`ble Mr Justice S.VAIDYANATHAN**

CRL OP(MD) No.18063 of 2017

V.THINAKARAN

... PETITIONER / ACCUSED NO.1

Vs

STATE REP.BY  
THE INSPECTOR OF POLICE,  
ALL WOMEN POLICE STATION,  
MELUR, MADURAI DISTRICT.  
(CRIME NO. 75/2017)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.J.JEYAKUMARAN Advocate

For Respondent : M/S.K.ANBARASAN, Government Advocate(Crl.Side)

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

ORDER : The Court Made the following order :-

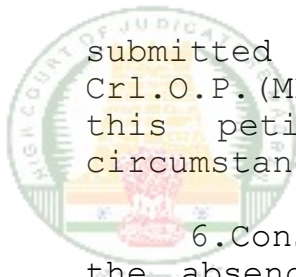
The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 498(A) and 506(i) of IPC r/w. Section 4 of Tamil Nadu Prohibition of Woman Harassment Act, in Crime No.75 of 2017 on the file of the respondent police, seeks anticipatory bail.

2.Heard the learned counsel on either side.

3.The case of the prosecution is that the defacto complainant is the wife of the petitioner. The marriage between the petitioner and the defacto complainant was solemnized on 18.03.2013 and they blessed with one female child. Thereafter, due to illegal intimacy with another girl, the petitioner did not take care of the defacto complainant and the same was questioned by the defacto complainant. Thereby, the petitioner attacked the defacto complainant. Hence, the defacto complainant lodged a complaint against the petitioner before the respondent police.

4.It is submitted by the learned counsel for the petitioner that the petitioner is innocent and he has not committed any offence and prays for anticipatory bail in favour of the petitioner.

5.The learned Government Advocate (Crl.side) submitted that the petitioner had illegal intimacy with one lady, and thereby, he ill-treated the defacto complainant and also attacked her. He further



submitted that the earlier petition filed by the petitioner in Crl.O.P.(MD)No.16322 of 2017 was dismissed by this Court as against this petitioner on 06.12.2017 and there was no change of circumstances and investigation is still pending.

6.Considering the facts and circumstances of the case and in the absence of change of circumstances and also considering the submission made by the learned Government Advocate (Crl.side), I am not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original petition is dismissed.

sd/-  
28/12/2017

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

ORDER  
IN  
CRL OP(MD) No.18063 of 2017  
Date :28/12/2017

**MS/CM-VR/SAR.1/02.01.2018/2P.3C**