



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

Thursday, the Thirty First day of August Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL OP(MD) No.6949 of 2017

NAMACHIVAYAM

... PETITIONER / A1

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE,
VATTATHIKOTTAI POLICE STATION,
THANJAVUR DISTRICT.
CR.NO.65/2017

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.R.VENKATESAN Advocate

For Respondent : MR.A.RAMAR Additional Public Prosecutor

For Intervener : M/S.B.ANANDAN Advocate

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 offence punishable under Sections 294(b), 323, 354, 506(ii) IPC @ 294(b), 323, 342, 313, 511, 506(i) IPC r/w Section 4 of Women Harassment Act in Crime No.65 of 2017 on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner herein and the de facto complainant are husband and wife. The marriage between them solemnized on 09.02.2017. The petitioner herein harassed the de facto complainant by saying that she is in black colour and when she became pregnant, the petitioner compelled her to abort, however, when she refused to do so, the petitioner brutally attacked and kicked on her stomach. Due to the same, the pregnancy was aborted.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that due to family dispute, on the instigation of the family members of the de facto complainant, she preferred the false complainant.

<https://hcservices.ecourts.gov.in/hcservices/>

4.The learned counsel for the intervenor reiterated the contention as alleged in the compliant.



5.The learned Additional Public Prosecutor appearing for the respondent Police on instruction would submit that totally there are 4 accused and the petitioner is arrayed as A1 in this case and A2, A3 & A4 were granted anticipatory bail by this Court in Crl.O.P.(MD) No.10400 of 2017 on 16.08.2017. He further submitted that investigation is still pending.

6.Considering the facts and circumstances of the case and also taking note of the gravity of offence said to have been committed by the petitioner, I am not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition stands dismissed. The respondent Police is directed to secure the petitioner herein.

sd/-
31/08/2017

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

TO

- 1 THE INSPECTOR OF POLICE,
VATTATHIKOTTAI POLICE STATION, THANJAVUR DISTRICT.
 - 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.R.VENKATESAN Advocate SR.No.29613

ORDER
IN
CRL OP(MD) No.6949 of 2017
Date :31/08/2017

MKV-PN-SAR 2/06.09.2017/2P-4C