



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

Tuesday, the Twenty Seventh day of June Two Thousand Seventeen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CRL OP(MD) No.7461 of 2017

1 JAYAGANESH
2 A.PANDI
3 P.AMARAVATHI
4 K.RADHA

... PETITIONERS / ACCUSED
RANK NOT KNOWN

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, MELUR, MADURAI DISTRICT
(CRIME NO.21 OF 2017)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.M.SENTHIL KUMAR Advocate

For Respondent : Mr.A.Ramar, Additional Public Prosecutor

For Intervenor : Mr.C.R.Ravindran, Advocate

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

ORDER : The Court Made the following order :-

The petitioners are accused in Crime No.21 of 2017 on the file of the respondent police, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 498(A), 406 and 506(ii) of IPC and Section 4 of the Tamil Nadu Women Harassment Act and hence, seeks anticipatory bail.

2. The case of the prosecution is that the marriage was solemnized on 02.11.2016 between the first petitioner and the defacto complainant and thereafter, it is alleged that since the defacto complainant wanted the first respondent to partition the family properties and due to the difference of opinion developed between the defacto complainant and the first respondent, the present petition has been filed.

3. Learned counsel for the petitioners submit that the petitioners are innocent and deny the allegations made against them as alleged in the petition and in any event of the matter, the first petitioner is ready to compromise the matter with the defacto complainant. Hence, he prayed for appropriate orders.

4. The learned Additional Public Prosecutor would submit that the investigation is pending.



5. Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor (Crl. Side) for the respondent/State and perused the materials available on record.

6. The matter was mediated by me in the Chamber and both the first petitioner and the defacto complainant expressed their willingness to resolve the matter amicably and accordingly, the first petitioner decided to take back the defacto complainant along with him and they decided to live together. Further, the defacto complainant and the accused seem to be slightly mentally retarded.

7. In the light of the above factual position of the matter and recording their willingness to unite also considering the nature of allegations levelled against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Melur, Madurai District and on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two common sureties for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioners shall appear before the respondent police as and when required, until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

8. The petitioners shall appear before the Magistrate concerned within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-

27/06/2017

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE, MELUR, MADURAI DISTRICT

2 -DO-THRO THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT

3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, MELUR, MADURAI DISTRICT

4 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to M/S.M.SENTHIL KUMAR Advocate SR.No.25145

SM:PM-PN:SAR 1:29.6.2017:2P/6C

ORDER

IN

CRL OP(MD) No.7461 of 2017

Date :27/06/2017