



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

Thursday, the First day of March Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP (MD) No.2848 of 2018

1 JERALDU,
2 NASARATH,
3 SAVARIMUTHU,
4 JEYSAN,

... PETITIONERS/ ACCUSED 1 TO 4

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
MELUR, MADURAI DISTRICT,
CR.NO.6 OF 2018

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.S.T.SASIDHARAN TAMILKANI Advocate

For Respondent : MR.A.ROBINSON, Government Advocate (Crl. Side)

For Intervener : MR.VENKATESAN, Advocate

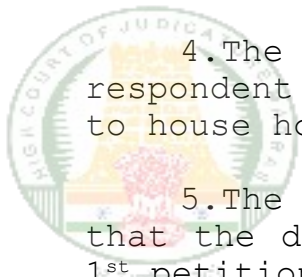
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused No.1 to 4, apprehends arrest at the hands of the respondent Police for the offence punishable under Sections 498(A), 294(b), 406 and 506(ii) of I.P.C., registered in Crime No.6 of 2018, seeks anticipatory bail.

2.The case of the prosecution is that the first accused along with the petitioners who are the in-laws of the defacto complainant harassed the defacto complainant by demanding more dowry. When the 1st petitioner went from their residence, the defacto complainant questioned the same with the other petitioners. At that time they abused the defacto complainant. Hence, the defacto complainant lodged the present complaint.

3.The learned counsel appearing for the petitioners submitted that the petitioners have been falsely implicated in this case, they have not committed any offence as alleged by the prosecution and they are in no way connected with the offences, hence he pleads for grant of anticipatory bail to the petitioners.



4.The learned Government Advocate (Crl. Side) appearing for the respondent Police submitted that the 1st petitioner refused to return to house hold articles.

5.The learned counsel appearing for the intervenor submitted that the defacto complainant got abortion due to the attack of the 1st petitioner and he refused to return back the Srithana articles.

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6.The submissions made by the counsel appearing on either side are considered. It is alleged that on 16.09.2015, the marriage between the defacto complainant and the first petitioner was solemnised in Soosaiyappar Church at Solaiyur. During the time of marriage the parents of the defacto complainant gave 100 sovereigns of jewels and a cash of Rs.2,00,000/- and properties worth about Rs.2,00,000/-. After the marriage, the first petitioner herein refused to take the defacto complainant for the place in which he was working. Further, along with other petitioners the 1st petitioner ill-treated the defacto complainant, thereby she got aborted. As of now, the first petitioner filed divorce application before the Family Court, Chengalpet. Moreover, the properties which was gave to the petitioners at the time of marriage was not returned. In the above circumstances, even though the offence committed by the petitioner is matrimonial dispute, considering the fact that the srithana properties are not returned to the defacto complainant, this court is not inclined to grant anticipatory bail to the petitioners.

7.In the result, this criminal original petition is dismissed.

sd/-

01/03/2018

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

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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.

+1. CC to M/S.S.T.SASIDHARAN TAMILKANI Advocate SR.No.3463

+1cc to MR.R.VENKATESAN, Advocate in SR.No. 3306

GJM/CM/VR/SAR-4-12.3.18-2P-5C

ORDER

IN

CRL OP(MD) No.2848 of 2018

Date :01/03/2018