



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

Monday, the Fifth day of February Two Thousand Eighteen

WEB COPY

PRESENT

**The Hon`ble Mr.Justice R.PONGIAPPAN**

**CRL OP(MD) No.17979 of 2017**

SHANTHA

... PETITIONER/ACCUSED No.2

Vs

1 THE STATE REP.BY,  
THE INSPECTOR OF POLICE,  
ALL WOMEN POLICE STATION,  
JEEYAPURAM, TIRUCHIRAPPALLI DISTRICT.  
(IN CRIME NO.9 OF 2017)

... RESPONDENT/COMPLAINANT

2 SATHIYA PRIYA @ SATHYA

... RESPONDENT/DEFACTO  
COMPLAINANT

For Petitioner : M/S.N.SATHISH BABU Advocate

For Respondent-1 : M/S.A.ROBINSON, Government Advocate (Crl.Side)

For Respondent-2 : M/S.N.DILIPKUMAR, Advocate

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

ORDER : The Court Made the following order :-

The petitioner/Accused No.2, apprehends arrest at the hands of the respondent police for the offence punishable under Sections 498(A) and 506(i) of IPC., in Crime No.9 of 2017, seeks anticipatory bail.

2. The case of the prosecution is that the marriage between the petitioner's son and the defacto complainant was solemnized on 04.06.2017. They loved each other. Further, the marriage was arranged by the elders of the family. After marriage, the petitioner and her son harassed the defacto complainant by demanding more dowry and threatened her with dire consequences. Hence, the case has been registered against the petitioner and other accused for the above said crime.



3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and she has not committed any offence as alleged by the prosecution. He further submitted that the petitioner has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned counsel appearing for the intervenor submitted that the petitioner's son and the defacto complainant were in love for more than 3 years. Later, with the consent of their parents, the marriage was solemnized on 04.06.2017. After marriage, the petitioner herein started harassing the defacto complainant/2<sup>nd</sup> respondent herein by stating that she is short in height and she is not a good match for her son. The petitioner further abused the defacto complainant that she spoiled the petitioner's plan to get a beautiful bride with huge dowry to her son and threatened with dire consequences by demanding more dowry. Hence, he prays for dismissal of this petition.

5. The learned Government Advocate (Criminal Side) appearing for the respondent submitted that the investigation is in progress.

6. The submissions made by the learned counsels appearing for either side are considered. According to the intervenor as well as the learned Government Advocate (Criminal side), the petitioner herein made mental cruelty towards the victim and committed the offence. On go through the entire facts and circumstances in this case reveals that another one accused, who is arrayed as A1 in this case, had love affair with the victim girl and after marriage, the petitioner herein caused mental cruelty by torturing the victim girl by saying that she is not fair, she is short and not fit for her son. As of now, the husband of the victim girl, who is the son of this petitioner had gone to abroad without settling the issue. So, the attitude of the petitioner and her son shows that they are not willing to give a life to the victim girl. Accordingly, *prima facie* a case is made out for the above said offence against the petitioner. So, if these type of petitioners are released on bail, they may be try to tamper the witness and hamper the investigation. Hence, this Court is not inclined to grant bail to this petitioner. Accordingly, this Criminal Original Petition is dismissed and the earlier interim order dated 28.12.2017, granted in favour of this petitioner is not extended further.

sd/-  
05/02/2018

/ TRUE COPY /



1. THE INSPECTOR OF POLICE,  
ALL WOMEN POLICE STATION, JEEYAPURAM,  
TIRUCHIRAPPALLI DISTRICT.

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

+1. CC to M/S.N.DILIP KUAMAR, Advocate SR.No.46492

ORDER  
IN  
CRL OP(MD) No.17979 of 2017  
Date :05/02/2018

PK/PM-PN/SAR-2/26.02.2018 : 2P/4C