



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

Monday, the Ninth day of July Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD) No.11385 of 2018

1 RAJESH KANNA

2 BAMA

3 RAJESH KUMAR

... PETITIONERS / ACCUSED Nos.1 to 3

Vs

STATE: THE INSPECTOR OF POLICE

KEELAVALLAVU POLICE STATION,

MADURAI DISTRICT

CRIME NO.180 KNOWN OF 2018

... RESPONDENT / COMPLAINANT

For Petitioners : Mr.V.KANNAN Advocate

For Respondent : Mr.A.ROBINSON, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners apprehend arrest at the hands of the respondent Police for the offences under Sections 147, 148, 323, 342, 506 (ii) and 109 of I.P.C. and Section 4 of the Tamil Nadu Prohibition of Harassment of Woman Act, 2002 in Crime No.180 of 2018 and seek anticipatory bail.

2.Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Crl. side) appearing for the respondent.

3.It is seen that the *de facto* complainant is the wife of the first petitioner, complaining that she was subject to cruelty. She has already lodged a criminal case against her husband in the year 2014. She also filed a case under the Provision of Domestic Violence Act. Subsequently, the matter was compromised and there was re-union. Again on account of dowry demand, quarrel broke out on 02.07.2018. The first petitioner/husband appears to have brutally beaten up the *de facto* complainant. The second petitioner / the mother in law had aided in the said process. Therefore, this Court finds absolutely no reason to grant any relief to the petitioners 1 and 2. This Criminal Original Petition is dismissed as far as the petitioners 1 and 2 are concerned. However,



no serious acts are attributed against the third respondent.

4. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the third petitioner with certain conditions. Accordingly, the third petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Melur and on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the third petitioner shall appear before the respondent police as and when required for interrogation. The third petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

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

sd/-
09/07/2018

/ 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-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI
- 3 THE INSPECTOR OF POLICE
KEELAVALLAVU POLICE STATION, MADURAI DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

+1. CC to M/S.V.KANNAN Advocate SR.No.12541

TSG
JAM/13/07/2018/ CSL-RR /VK/ /2P-6C

ORDER
IN
CRL OP(MD) No.11385 of 2018
Date :09/07/2018