



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

Monday, the Thirtieth day of July Two Thousand Eighteen

WEB COPY

PRESENT

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

CRL OP(MD) No.12725 of 2018

1 M.ABIRAMASUNDARI

2 M.SURIYA PRIYA

... PETITIONERS / ACCUSED NO.2&3

Vs

THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
THALLAKULAM,
MADURAI DISTRICT.
CRIME NO.33 OF 2018

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.C.M.ARUMUGAM Advocate

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

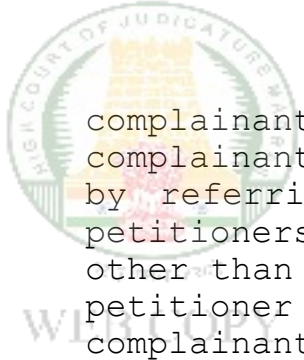
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners apprehending arrest at the hands of the respondent police for the offences punishable under Section 498 (a) I.P.C, in Crime No.33 of 2018, seek anticipatory bail.

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

3.The petitioners before this Court are the mother in law and sister in law of the defacto complainant. The defacto complainant in her complaint has made specific allegations against the petitioners herein. It is relevant to note here that the defacto complainant is physically challenged person. The marriage between the first accused and the defacto complainant took place on 08.06.2017. One month after the marriage, the first accused left for his overseas employment. Thereafter, the defacto complainant was living with her mother in law at Tiruppalai. Further it is alleged in the FIR that the petitioner herein had pressurised the defacto complainant to get further dowry to the tune of RS.5,00,000/-. The defacto complainant has pointed out that 25 sovereigns of gold were gifted at the time of marriage. The defacto



complainant appears to have difficult in walking. Since the defacto complainant has also alleged that the petitioners herein had abused by referring to her physical condition, this Court directed the petitioners to get instructions from the first accused, who is none other than the son of the first petitioner and brother of the second petitioner so as to make provision for maintenance for the defacto complainant. To enable the petitioner to get instructions in this regard, the matter was adjourned.

4.Today when the matter was taken up for hearing, the learned counsel appearing for the petitioner would submit that the petitioners are unable to persuade the first accused to make provision for maintenance to the victim. This Court refuses to believe that the petitioners were not in a position to persuade the first accused, who is none other than the son and brother of the petitioners herein, respectively.

5.Taking note of the fact that in a crime against the women that too against the physically challenged person, this Court is of the view that the petitioners are not entitled to seek any indulgence from this Court.

6.Hence this Petition is dismissed.

sd/-

30/07/2018

/ TRUE COPY /

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

TA
TO

1 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
THALLAKULAM,
MADURAI DISTRICT.

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

+1. CC to Mr.C.M.ARUMUGAM Advocate SR.No.14538

PS/VR-MMS:SAR-1:11/08/2018:2P/4C

ORDER

IN

CRL OP(MD) No.12725 of 2018

Date :30/07/2018