



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

Wednesday, the Fifth day of September Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) No.15044 of 2018

1 ANANTH
2 MALLIKA

... PETITIONERS / ACCUSED NO.1 & 2

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
KOVILPATTI,
THOOTHUKUDI DISTRICT.
(CRIME NO. 9 OF 2018)

... RESPONDENT / COMPLAINANT

For Petitioners : Mr.B.ANANDAN Advocate

For Respondent : Mrs.M.ANANTHA DEVI 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 punishable under Sections 498(A), 387 and 506(ii) IPC r/w Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 in Crime No.9 of 2018, seek anticipatory bail.

2.The case of the prosecution is that in the year 2006 the marriage was solemnized between the first petitioner and the defacto complainant. The first petitioner is having illegal intimacy with the second petitioner, due to the same the defacto complainant left the matrimonial home. Hence, the complaint.

3.The learned counsel appearing for the petitioners submitted that the petitioner filed divorce petition in H.M.O.P.No.21 of 2018 before the learned Principal Sub Court, Tenkasi. Further, the defacto complainant left the matrimonial home before eight years. After filing of the divorce petition, the defacto complainant filed a complaint under the Domestic Violence Act, which is pending in D.V.O.P.No.5 of 2018 before the learned Judicial Magistrate No.II, Kovilpatti and also lodged a false complaint against the



4.The learned Government Advocate(Crl.side) submitted that the injured has been discharged from the hospital.

5.Taking note of the facts and circumstances, 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 No.I, Kovilpatti and on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each 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 for interrogation. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

6.The petitioners 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/-
05/09/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO-I,
KOVILPATTI.
- 2 THE CHIEF JUDICIAL MAGISTRATE
THOOTHUKUDI DISTRICT. THOOTHUKUDI.
- 3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, KOVILPATTI,
THOOTHUKUDI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADIRAS HIGH COURT,
MADRAI.

+1. CC to M/S.B.ANANDAN Advocate SR.No.16961
PS/VR/MMS/SAR-4:11/09/2018:2P/6C

ORDER
IN
CRL OP(MD) No.15044 of 2018
Date :05/09/2018