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

Thursday, the Seventh day of February Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.8870 of 2018

1 SELVAM
2 RANI ... PETITIONERS / ACCUSED NO.1 & 2

Vs

THE STATE REP.BY
1 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, DEVAKAOTTAI,
SIVAGANGAI DISTRICT, CR.NO.5/2018
...RESPONDENT / COMPLAINANT

2 SAKUNTHALA,
(*R2 Intervener as per order of this Hon'ble Court
made in Crl.MP(MD)No.4176/18 in
Crl.OP(MD)No.8870/18 dated 09.08.2018.) ... INTERVENOR

For Petitioners : Mr.S.MUNIYANDI Advocate

For Respondent : Mr.K.SUYAMBULINGA BHARATHI,
Government Advocate(Crl. Side)

For Intervener : Mr.MUTHUKUMAR Advocate

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

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 294(b), 323, 498(A) and 506(i) IPC and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act in Cr.No.5 of 2018 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the marriage was solemnized between the first petitioner and the defacto complainant on 15.11.1999. Thereafter, they blessed with two children, who are now aged about 18 and 15 years. Thereafter, the first petitioner developed illegal intimacy with the second petitioner and they blessed with one male child. After that, the first petitioner gave a torture to the defacto complainant for demanding additional dowry. Hence, the defacto complainant lodged a complaint before the

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respondent police.

3. The learned counsel appearing for the petitioner would submit that the petitioners have not committed any offence as alleged by the prosecution. He further submitted that earlier this matter was referred before the Mediation, but the same was not succeeded because of the adamant attitude of the defacto complainant.

4. The learned counsel appearing for the intervenor submitted that the defacto complainant is the wife of the first petitioner. Since the first petitioner developed illegal intimacy with the second petitioner, she opposed to grant anticipatory bail to the petitioners.

5. The learned Government Advocate (Crl.side), on instructions, would submit that the investigation is pending.

6. Considering the facts and circumstances of the case and considering the serious allegation levelled against the petitioners, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

sd/-
07/02/2019

/ TRUE COPY /

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

TO

1.THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
DEVAKAOTTAI, SIVAGANGAI DISTRICT.

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

+1. CC to MR.S.MUTHUKUMAR Advocate SR.No.2688

ORDER
IN
CRL OP(MD) No.8870 of 2018
Date :07/02/2019

AE/JC/SAR-II/13.02.2019/2P/4C

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