



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07/08/2019

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PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD). No.9482 of 2019

Arumugam

... Petitioner/

Accused Rank not known

Vs

State rep.by

The Inspector of Police,
All Women Police Station,
Manamadurai,
Sivagangai District.
(Crime No.7 of 2019).

... Respondent/Complainant

For Petitioner : M/s.R.Venkatesan, Advocate.

For Respondent : M/s.M.Anantha Devi,
Government Advocate (Crl.Side)

For Intervenor : M/s.V.Panner Selvam, Advocate

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

PRAYER :-

For Anticipatory bail in Cr.No.7 of 2019 on the file of the respondent police.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 498 (A), 294 (b) and Section 4 of Women Harassment Act, in Crime No.7 of 2019, seeks anticipatory bail.

2. Heard both sides.

3.The learned counsel appearing for the petitioner has submitted that the defacto complainant is having illegal intimacy with one person and that since the petitioner has questioned the same, she left the matrimonial home 5 months back and lodged a false complaint stating that the petitioner and his family members assaulted her by demanding dowry. He further submitted that the



petitioner is working as a police constable and he has not committed any offence, and therefore, he prayed to grant anticipatory bail to the petitioner.

4. The learned counsel for the Intervenor/defacto complainant has submitted that in the petition, the petitioner has not stated the allegation that the defacto complainant is having illicit intimacy with some other person and hence, the said allegation is totally false. He further submitted that the petitioner has assaulted the defacto complainant by demanding dowry and caused serious injuries and hence, she was admitted in the hospital and took treatment as inpatient and therefore, he strongly opposed this petition.

5. The learned Government Advocate (Crl.Side) has adopted the arguments advanced by the learned counsel for the Intervenor and she also opposed this petition. She further submitted that the petitioner has assaulted the defacto complainant and caused injuries and hence, the defacto complainant was admitted in the Government Hospital, Sivagangai, and took treatment as inpatient and therefore she strongly opposed this petition.

6. In the petition, the petitioner has not stated that the defacto complainant is having illegal intimacy with some other person and on the contrary he has stated that due to family dispute she left the matrimonial home 5 months back and she lodged a false complaint.

7. Taking into consideration of the aforesaid fact and also the submission made by the learned Government Advocate that since the petitioner has assaulted the defacto complainant, she took treatment as inpatient in the Government Hospital, Sivagangai, this Court is not inclined to grant anticipatory bail to the petitioner.

8. Accordingly, this Criminal Original Petition is closed.

sd/-
07/08/2019

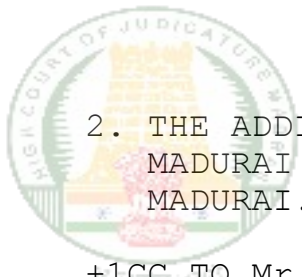
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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

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

<https://hcservices.ecourts.gov.in/hcservices/>



CRL OP(MD) . No.9482 of 2019

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

+1CC TO Mr.V.PANNER SELVAM, Advocate, Sr No.13303

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ORDER

IN

CRL OP(MD) No.9482 of 2019

Date :07/08/2019

MS/VR/SAR-2/19.08.2019/3P.4C