



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

Date : 02/07/2020

PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN
CRL OP(MD) . No.6944 of 2020

WEB COPY

Vivekanandan

... Petitioner/Accused rank not

Vs

The Inspector of Police,
Pandian Nagar Police Station,
Virudhunagar District
Virudhunagar.
Cr.No.not known of 2020.

... Respondent/Complainant

For Petitioner : M/s.S.Premkumar,
Advocate.

For Respondent : Mr.S.Chandrasekar,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime no. of 2020 on the file of the respondent police.

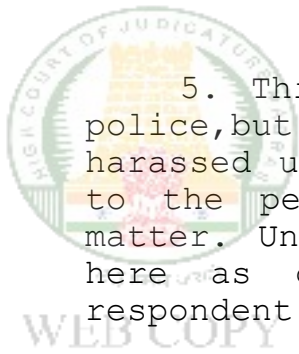
ORDER : The Court made the following order :-

The petitioner apprehending arrest at the hands of the respondent police for the offences punishable under sections 498(A) and 506(ii) of IPC in view of the complaint given by his wife

2. The learned Additional Public Prosecutor submits that only petition enquiry is pending and no case has been registered against this petitioner.

3. The learned counsel for the petitioner would submit that the petitioner and the defacto complainant got married on 17.02.2017 and soon after that trouble cropped out between them and the defacto complainant left the matrimonial home during the month of November 2017. After issuance of legal notice to the defacto complainant on 08.06.2020 the present complaint has been given to the respondent police.

4. The learned Additional Public Prosecutor would further argue that very many allegations are made against this petitioner regarding dowry harassment and the petitioner has not so far co-operated with the enquiry. Despite that the respondent police has not registered the complaint in order to avoid precipitation of the issue between the husband and wife.



5. This Court appreciate the fair approach of the respondent police, but at the same time the petitioner herein shall not be harassed unnecessarily. The respondent police shall cause summons to the petitioner under Section 41(A) of Cr.P.C and enquire the matter. Unless there is a strong reason to arrest the petitioner here as contemplated under Section 41(A)(3) of Cr.P.C, the respondent need not resort to the action of arrest.

6. With the above direction, this petition is disposed of.

sd/-
02.07.2020

/ TRUE COPY /

/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

AAV

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1. The Inspector of Police,
Pandian Nagar Police Station,
Virudhunagar District
Virudhunagar.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.6944 of 2020
Date : 02/07/2020

VB SKN SAR 3 (03.07.2020) 2P 3C