



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23/11/2020

PRESENT

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

CRL OP(MD). No.12901 of 2020

Gobi

... Petitioner/Accused No.1

Vs

The State Rep. by
The Sub Inspector of Police,
All Women Police Station,
Musiri,
Trichy District.
Crime No.19 of 2020

... Respondent/Complainant

For Petitioner : Mr.R.Thangapandian,
Advocate.

For Respondent : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.Side)

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

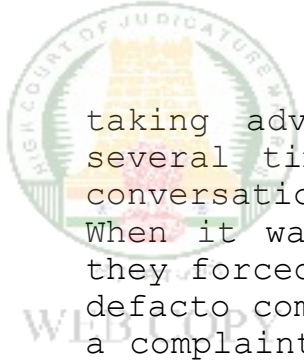
PRAYER :-

For Anticipatory Bail in Crime No.19 of 2020 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioners, who is arrayed as A1, apprehending arrest at the hands of the respondent police for the offences punishable under Sections 498(A), 354, 354(A)(1)(i), 354(A)(1)(ii), 323, 201, 506(i) IPC, and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 and Section 4 of Dowry Prohibition Act, 1961, in Crime No.19 of 2020 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant got married the petitioner on 12.09.2019. At that time of marriage, the defacto complainant's family presented twelve sovereigns of jewels and other articles worth about Rs.1,50,000/- to the petitioner. Thereafter, the defacto complainant left as a joint family. While being so, the father-in-law namely the second accused



taking advantage of the absence of the petitioner with her in several times. In fact the defacto complainant also recorded the conversation between the second accused and the defacto complainant. When it was disclosed by the petitioner and other family members, they forced and compelled her to delete the message. Thereafter, the defacto complainant left the matrimonial home on 08.05.2020 and gave a complaint before the respondent police. Hence, the case has been registered.

3. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondent.

4. The learned counsel appearing for the petitioner would submit that the defacto complainant mainly made allegations against her father-in-law in order to corner him for the purpose of living with her husband by separate house, which, the petitioner has not acceded. Hence, the defacto complainant gave a false complaint against the petitioner and his family members.

5. The learned Government Advocate (Crl. Side), appearing for the respondent police submitted that the father of the petitioner sexually harassed the defacto complainant and further all the accused persons have threatened the defacto complainant by deleting the conversation between the second accused and the defacto complainant. Hence, the crime has been registered.

6. This is the second application and there is no change of circumstances to entertain this application. Considering the facts and circumstances of the case and also considering the fact that the petitioner committed very serious offence and as such, this Court is not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, this Criminal Original Petition stands dismissed.

sd/-
23/11/2020

/ TRUE COPY /

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

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.



1. THE SUB INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
MUSIRI, TRICHY DISTRICT.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP (MD) No.12901 of 2020
Date :23/11/2020

VSG
TE/RSK/SAR-II : 30/11/2020 : 3P/3C