

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the First day of February Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice P. VELMURUGAN

CRIMINAL ORIGINAL PETITION No.1266 of 2021

1 R.KRISHNAMOORTHY
2 N.VENKATESAN
3 K.SARAVANAN

[PETITIONERS / ACCUSED]

vs

STATE REP BY,
THE INSPECTOR OF POLICE,
THIYAGADURGAM POLICE STATION,
KALLAKURICHI DISTRICT.
CRIME NO.18 OF 2021.

[RESPONDENT]

For Petitioner : M/S.T.BALACHANDRAN Advocate

For Respondent : MR. S.KARTHIKEYAN, ADDITIONAL PUBLIC PROSECUTOR

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

ORDER : The Court Made the following order :-

The petitioners, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 420, 466 and 417 of I.P.C in Crime.No.18 of 2021, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that there are totally 3 accused in this case. It is alleged that the first petitioner along with other accused persons had created bogus birth certificate of the daughter of the 1st petitioner, as if she had attained majority. Based on the said certificate, the defacto complainant married the daughter of the 1st petitioner. Now, it is seen that she does not want to live with the defacto complainant. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they are no way connected with the alleged offence. Hence he prays to grant anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor submits that the petitioners have entered into criminal conspiracy and they have created bogus birth certificate. Based on the said certificate, the defacto complainant married the daughter of the 1st petitioner. He would further submit that there was a matrimonial dispute among them and the defacto complainant has filed a divorce petition before the Sub-Court, Kallakurichi. Hence he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the fact that the petitioners alleged to have suppressed the fact that the daughter of the first petitioner is a minor girl, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
01/02/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE SUB-COURT,
KALLAKURICHI

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
THIYAGADURGAM POLICE STATION,
KALLAKURICHI DISTRICT.

CC to M/S.T.BALACHANDRAN Advocate on payment of necessary charges

CRL OP.1266/2021

Date :01/02/2021

MK:10/02/2021