

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.02.2021

CORAM:

THE HON'BLE Mr. JUSTICE P.VELMURUGAN

Crl.OP.No.2305 of 2021

1. Aditya Mahendran
S/o.T.Mahendra
 2. T.Mahendran
S/o.A.Thirumalaisamy Chettiyar
 3. M.Malleeswari
W/o.T.Mahendran
 4. Krithika Mahendran
D/o.T.Mahendran
- ... petitioners

State Rep. by
The Inspector of Police
All Women Police Station
Ammamet, Salem.

... Respondent

Criminal Original Petition filed under Section 438 Cr.P.C, to
enlarge the petitioners on bail in the event of their arrest in All Women
Police Station, Salem Town, Salem in Crime Number not known of 2021

pending investigation on the file of the respondent police.

For petitioners : Mr.K.Sampath Kumar
For Respondent : Mr.K.Madhan
Government Advocate (Crl. Side)

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 498(A) of IPC and Section 4 of Dowry Prohibition Act, in Crime No. Not known of 2021, seek anticipatory bail.

2. The learned counsel for petitioners submitted that the respondent police harassing the petitioners under the guise of enquiry with regard to matrimonial dispute, which is pending before the III Additional Family Court, Chennai.

3. The learned Government Advocate (Crl. Side) would submit that this is the second petition filed by the petitioners. He would further submit that the first anticipatory bail petition filed by the petitioners

dismissed on 29.01.2021 on the ground that there is no petition or enquiry is pending against the petitioners.

4. Since the matter is with regard to matrimonial dispute, as per the guidelines of Hon'ble Supreme Court, the respondent police is empowered to conduct preliminary enquiry. In the considered opinion of this Court, this petition is highly premature since the matter is only at the preliminary stage of enquiry and the same is liable to be dismissed. Accordingly, this Criminal Original Petition is dismissed.

10.02.2021

Index : Yes/No
Internet : Yes/No
Speaking Order/Non Speaking Order

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P.VELMURUGAN, J.

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