

IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Criminal Jurisdiction )

Friday, the Ninth day of April Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.6530 of 2021

1 C.SIVASELVAN  
2 B.SHOBA

[ PETITIONERS / ACCUSED ]

Vs

THE INSPECTOR OF POLICE  
THIRUMULAVOYIL POLICE STATION,  
THIRUVALLUR DISTRICT.  
CR.NO.146 OF 2020

[ RESPONDENT ]

For Petitioner : M/S.C.K.M.APPAJI Advocate

For Respondent : MR. K.PRABAKAR, ADDITIONAL PUBLIC PROSECUTOR

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

ORDER : The Court Made the following order :-

The petitioners who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 294(b), 324 of IPC read with Section 4 of Tamil Nadu Prohibition of Harassment on Women Act 2002 in Cr.No.146 of 2020 on the file of the respondent police, seek anticipatory bail.

2. According to the prosecution, A1 and the defacto complainant are husband and wife. The first petitioner is the brother in law and the second petitioner is sister of A1. The defacto complainant pledged her jewels and given money to her husband for constructing a house at Kanyakumari. When the defacto complainant asked her husband to redeem her jewels, the petitioners and A1 abused her in filthy language and pushed her down. Hence, the defacto complainant lodged a complaint against the petitioners and her husband.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they are nothing to do with the alleged offence. The defacto complainant's father is working as Inspector of Police. When A1 went to the defacto complainant complainant's house,

the brother of the defacto complainant and her parents picked up quarrel with him and his brother in law attacked A1 with iron rod and caused injuries. A1 was taken treatment in Kilpauk Medical College Hospital as inpatient. Thus, the respondent herein registered a case against the defacto complainant and her brother in crime no.145 of 2020. Hence, the defacto complainant has lodge a counter case.

4. The learned Public Prosecutor would submit that it is a case of matrimonial dispute and a counter case in crime no.145 of 2020 is pending against the defacto complainant. However, she opposed to grant of anticipatory bail to the petitioners.

5. Considering the gravity of the accusation against the petitioners and the case is at initial stage, this Court is not inclined to grant anticipatory bail to the petitioners. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

09/04/2021

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 INSPECTOR OF POLICE  
THIRUMULAVOYIL POLICE STATION,  
THIRUVALLUR DISTRICT.

2 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

CC to M/S.C.K.M.APPAJI Advocate on payment of necessary charges  
Sr.4856

WEB COPY

CRL OP.6530/2021

Date :09/04/2021

RVR 01/06/2021