



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Eighth day of September Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.15963 of 2021

MUBINULLAH

[PETITIONER / ACCUSED]

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
KOTTAKUPPAM ALL WOMEN POLICE STATION,
VILLUPURAM DISTRICT.
(CRIME NO.NOT KNOWN OF 2021).

[RESPONDENT]

For Petitioner : M/S B.DEVAKUMAR Advocate

For Respondent : MR. A.GOPINATH, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

(The case has been heard through video conference)

The petitioner who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 294(b), 498A, 506(i) of IPC in Crime No.Not Known of 2021, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the first marriage of the defacto complainant and the petitioner was solemnized in the year 2008 as per Muslim Rites and Customs and they are blessed with girl child. Due to misunderstanding between them, they lived separately. Again, the petitioner has performed second marriage without dissolving the earlier marriage. Hence, the first wife has registered a case against the petitioner.



3. The learned counsel for the petitioner submits that the petitioner has fairly conceded that without obtaining divorce, the second marriage was performed and further the petitioner has taken erroneous steps to get divorce from the defacto complainant. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) submits that the petitioner without getting divorce, he has performed the second marriage. Hence, he vehemently opposed for grant of bail to the petitioner.

5. In view of the submissions made by the learned Government Advocate (Crl.Side) and also considering the fact the petitioner had performed second marriage without dissolving the earlier marriage, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

08/09/2021

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 PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

2 THE INSPECTOR OF POLICE,
KOTTAKUPPAM ALL WOMEN POLICE STATION,
VILLUPURAM DISTRICT.

CC to M/S B.DEVAKUMAR Advocate on payment of necessary charges

CRL OP.15963/2021

Date :08/09/2021

RW 07/10/2021