



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 16/03/2021

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR
CRL OP(MD)No.1966 of 2021

1.M.Abdul Majid
2.M.Maharunisha
3.S.Anish Fathima
4.Kadhija Beevi
5.S.Ameena Ammal
6.M.Ummal Hamibha
7.M.Dhavlath Nisha

... Petitioners/Accused
Rank Not Known

Vs

State rep by
The Inspector of Police,
All Women Police Station,
Pattukottai, Thanajvur District.
Cr No.Not Known of 2021.

... Respondent/Complainant

For Petitioner : M/s.Ravi.S,
Advocate.

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

For Intervenor : Mr.B.Anandhan

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

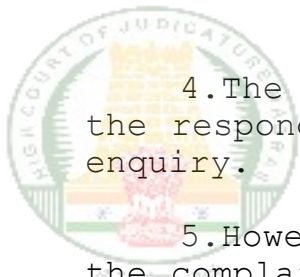
PRAYER :- For Anticipatory Bail in Crime No not known of 2021 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 498(A), 506(i) IPC and Section 4 of Dowry Prohibition Act and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act in Crime No.Not Known of 2021 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the first petitioner and the defacto complainant are husband and wife and the others petitioners are in-laws of the defacto complainant. All the petitioners were said to have harassed the defacto complainant by demanding additional dowry. Hence, the complaint.

3.The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. Hence, he prayed for grant of anticipatory bail to the petitioner.



4.The learned Government Advocate (Crl. Side), appearing for the respondent police submitted that the complaint was closed after enquiry.

5.However, the defacto complainant agitated for the closure of the complaint. Today, when the matter is taken up for hearing, the first petitioner and the defacto complainant are present. The contention of the defacto complainant is that the first petitioner now married another woman and hence, it is not able for her to rejoin. The first petitioner stated that he is ready and willing to take back the defacto complainant and the children.

6.It is seen that it is a matrimonial dispute. According to the customs of the petitioners, the first petitioner is entitled to have second wife. However, the defacto complainant is not in a position to accept the same. Now, the complaint was closed and nothing survives in the present petition. Accordingly, this criminal original petition is closed. If the defacto complainant is aggrieved, she can file a maintenance petition, in accordance with law.

sd/-
16.03.2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

GNS

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.

TO

- 1.The Inspector of Police,
All Women Police Station, Pattukottai,
Thanajvur District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

CRL OP(MD) No.1966 of 2021
16.03.2021

VB PN SAR 3(24.03.2021) 2P 3C

<https://hcservices.ecourts.gov.in/hcservices/>