



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19/05/2021

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.6926 of 2021

1. Gladston
2. Xavier @ Maria Xavier
3. Victoriyal
4. Edward

... Petitioners/Accused
Not Known

Vs

The State Rep. by
The Inspector of Police,
All Women Police Station,
Colachal,
Kanyakumari District
(Crime No.Unknown of 2021)

... Respondent/Complainant

For Petitioners : Mr.Appaji.C.K.M,
Advocate.

For Respondent : Mr.S.Ravi,
Additional Public Prosecutor

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

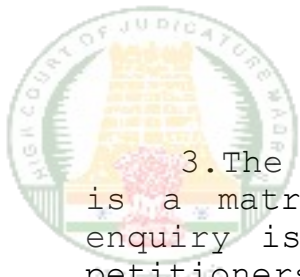
PRAYER :-

For Anticipatory Bail in Crime No. Unknown of 2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners apprehending arrest at the hands of the respondent police for the offences punishable under sections 498-A, 406 & 420 of I.P.C., 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 due to the matrimonial dispute, a petition has been filed before the Judicial Magistrate Court, Eraniel in C.M.P.No.1300 of 2021 and the same was forwarded to the respondent police station under Section 156(3) of Cr.P.C. for investigating.



3.The learned Additional Public Prosecutor submits that there is a matrimonial dispute between the parties and only petition enquiry is pending and no case has been registered against these petitioners.

4.The learned counsel for the petitioner submits that in respect of the matrimonial dispute, a compromise was reached between the parties, in which, the defacto complainant received the entire articles, which belonged to her and a petition has been filed before the Family Court, Nagercoil in I.D.O.P.No.597 of 2021 for mutual divorce.

5.When there is a compromise between the parties, the question of enquiry cannot be undertaken by the concerned police. However, the petitioner shall appear before the concerned police and inform about the compromise that has been arrived between the parties and the respondent shall act in compliance of P.S.O. 562(b).

6.Since nothing remains for further direction in this case, this criminal original petition is closed.

sd/-

19/05/2021

/ TRUE COPY /

/ /2021

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

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,
COLACHAL,
KANYAKUMARI DISTRICT.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.6926 of 2021
Date :19/05/2021