



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/07/2021

WEB COPY

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD) . No.9980 of 2021

1. Andichi
2. Gowthami
3. Kavitha
4. Silambarasan
5. Mahalakshmi
6. Karuppasamy @ Thirumurugan ... Petitioners/Accused No.2 to 6

Vs

State rep by its,
The Inspector of Police,
All Women Police Station,
Melur, Madurai District.
In Crime No.1/2021 ... Respondent/Complainant

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

For Respondent : Mr.K.Sanjai Gandhi,
Government Advocate (Crl.Side)

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

PRAYER :-For Anticipatory Bail in Crime No.1 of 2021 on the file of the Respondent Police

ORDER : The Court made the following order :-

The petitioners/Accused No.2 to 6, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 498(A) of IPC and Section 4 of Tamilnadu Prohibition of Women Harassment Act, 2002, in Crime No.1 of 2021, seek anticipatory bail.

2.The case of the prosecution is that the first accused and the defacto complainant are neighbours and they had fallen in love with each other and they got married on 04.04.2020. After marriage, the petitioners have demanded more dowry and harassed her. Hence, the complaint.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they are all in-laws of the



defacto complainant and they have been falsely implicated in this case. He further submitted that the investigation is completed. Hence, he seeks anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl.side) submitted that totally there are seven accused in this case. The petitioners herein are accused Nos.2 to 6 and they are all in-laws of the defacto complainant. After completing the investigation, absconding charge sheet was filed before the Judicial Magistrate Court, Melur and the same was taken on file in C.C.No.68 of 2021 and summon was issued to the petitioners for their appearance before the Judicial Magistrate, Melur, on 28.05.2021. Since there was no appearance on that date, the case was adjourned to 13.08.2021.Hence, he has strongly opposed to grant anticipatory bail to the petitioners.

5.Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Crl.side) appearing for the respondent.

6.Be that as it may, this Court is not inclined to go deep into merits of the case now. Now, this Court has to consider whether the petitioners are entitled for anticipatory bail. Admittedly, in this case there are seven accused. The learned Judicial Magistrate, Melur, has issued summon for appearance of the petitioners on 28.05.2021 and there is no apprehension of arrest in this case.

7.Taking all the factors into consideration and the fact that the learned Judicial Magistrate, Melur has issued only summon for the appearance of the petitioners, this Court is of the considered view that there is no necessity for filing this petition seeking anticipatory bail. The petitioners are directed to appear before the learned Judicial Magistrate, Melur, on 13.08.2021 for facing trial. The learned Judicial Magistrate, Melur, is directed to take bond from the petitioners under Section 88 of the Code of the Criminal Procedure for regular appearance.

8.With the above observation, this Criminal Original Petition is dismissed.

sd/-
30/07/2021

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/ /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



TO

1. THE JUDICIAL MAGISTRATE, MELUR.

2. -DO- THRO' THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

3. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
MELUR, MADURAI DISTRICT.

4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.9980 of 2021

Date : 30/07/2021

MSA/CP

RT/JM/SAR-I/04.08.2021/3P/5C