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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 01/11/2021

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD).No.11914 of 2021

1. Manikandan
2. Karuppaiah ... Petitioners/Accused Nos.1 & 2

Vs.

State rep.by
The Inspector of Police,
All Women Police Station,
Melur,
Madurai District.
(Crime No.28 of 2021) ... Respondent/Complainant

For Petitioners: M/s.M.Vasathan, Advocate.

For Respondent : M/s.R.Meenakshi Sundaram, Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.28 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 alleged offences punishable under Sections 354(B), 406 and 498-A IPC, in Crime No.28 of 2021, seek anticipatory bail.

2.The case of the prosecution is that the marriage between the first petitioner and the defacto complainant was solemnized on 22.11.2019. The second petitioner is the father of the first petitioner. The second petitioner is said to have misbehaved with the defacto complainant, when the same was informed to her husband and her mother-in-law, they kept quiet and also demanded more dowry. Hence the complaint.

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3.The learned counsel for the petitioners submits that immediately after marriage, misunderstanding arose between the first petitioner and the defacto complainant and she went to her parents home. He further submitted that such occurrence had never happened as alleged by the defacto complainant.

4.Since it is a matrimonial dispute, this Court, by order dated 19.08.2021, referred the matter to the Social Welfare Committee to conduct enquiry and file a report. The District Social Welfare Officer has conducted enquiry and also filed a report stating that the second petitioner, the father of the first petitioner has misbehaved with the defacto complainant and gave sexual torture to her. That is the reason for the dispute, which arose between the de-facto complainant and the first petitioner and the de-facto complainant is staying in her parents home in mental agony.

5.Considering the above facts and circumstances of the case and also considering the fact that there are serious allegations as against the petitioners in all over the complaint, this Court is not inclined to grant anticipatory bail to the petitioners.

6.Hence, this Criminal Original Petition stands dismissed.

Sd/-
01/11/2021

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

vsd

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,
Melur, Madurai District.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN
CRL OP(MD) No.11914 of 2021
Date :01/11/2021

SP/JM/SAR II/18/11/2021/2P/3C

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