



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 02/11/2021

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI
CRL OP(MD). No.16644 of 2021

WEB COPY

Benjamin

... Petitioner/1st Accused

Vs

State Rep.by
The Inspector of Police,
All Women Police Station,
Kanyakumari,
Kanyakumari District,
(Crime No.8 of 2021).

... Respondent/Complainant

For Petitioner : Mr.Aravinthan.G,
Advocate.

For Respondent : Mr.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. 8 of 2021 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 498(A) and 406 I.P.C r/w Section 4 of the Tamil Nadu Prohibition of Harassment of Woman Act r/w Sections 3(1), 4 and 6 of DP Act, in Crime No.8 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is the husband the de-facto complainant. The marriage between the petitioner and the de-facto complainant was solemnized on 28.08.2020. After the marriage, the petitioner along with other accused harassed the de-facto complainant by demanding additional dowry and driven her out of the matrimonial home. Hence, the complaint.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent and he has been falsely implicated in this case. He further submitted that all the golden jewels and sreethana properties were returned during the enquiry conducted by the respondent police and the de-facto complainant is suffering with epilepsy disease, it was suppressed by the de-facto



complainant's parents and they married her to the petitioner. He further submitted that this Court had already granted anticipatory bail to the co-accused in Crl.O.P(MD).No.11650 of 2021 dated 20.09.2021. Hence, he prayed for grant of anticipatory bail.

4.The learned Additional Public Prosecutor appearing for the respondent police submitted that the husband of the defacto complainant has assaulted the defacto complainant and chased away his wife. In order to avoid maintaining his wife and children, the petitioner abused and assaulted them. He would further submit that the petitioner is not ready to pay any maintenance to his wife.

5.Considering the conduct and attitude of the petitioner, this Court is not inclined to grant Anticipatory bail to the petitioner. Accordingly, the Criminal Original Petition is dismissed.

sd/-
02/11/2021

/ 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, Kanaykumari,
Kanyakumari District.

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

ORDER IN
CRL OP(MD) No.16644 of 2021
Date :02/11/2021

RS/PN/SAR3 (24.11.2021) 2P 3C

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