



WEB COPY

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

Date : 28/10/2021

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.16654 of 2021

1.FathimaBeevi ... 1st Petitioner/Accused 2
2.Raja @ Dhamodharan ... 2nd Petitioner/Accused rank not known

Vs

State rep. by
The Inspector of Police,
Jeeyapuram Police Station,
Trichy District.
Cr.No.518 of 2021.

... Respondent/Complainant

S.Velusamy ... Intervening Petitioner/
Defacto Complainant/
De-facto complainant in
Crl.M.P(MD)No.9146 of 2021 in
Crl.O.P(MD)No.16654 of 2021

For Petitioner : Mr.Moorthy S,
Advocate.

For Respondent : Mr.P.Kottai Chamy,
Government Advocate (Crl.Side)

For Intervenor : Mr.P.M.VISHNUVARTHANAN

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

PRAYER :-

For Anticipatory Bail in Crime No.518 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 alleged offence punishable under Sections
307 of IPC and Section 4 of TN Prohibition of Harassment of Woman
Act, 2002, in Crime No.518 of 2021 on the file of the respondent
police, seeks anticipatory bail.



2.The case of the prosecution is that the marriage was solemnized between the first accused and the defacto complainant's daughter on 01.12.2013. After the marriage, the first accused had illegal intimacy with A2. Due to which, a dispute arose between the first accused and the defacto complainant's daughter and the first accused attempted to kill her. Hence, the complaint.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. The learned counsel for the petitioners further submitted that the petitioners are employees under the first accused. The first accused got married to one Saranya in the year 2013. However, she was suspecting upon her husband as if he was having illegal intimacy with first petitioner/A2, in pursuance of that, she attempted to commit suicide by hanging from ceiling fan at matrimonial home. They are now living separately. He would further submit that the defacto complainant and his daughter Saranya had broken the first accused's house and also robbed property documents, cash and first accused's car.

4.The learned Additional Public Prosecutor appearing for the respondent police submitted that the the first accused is having illegal intimacy with A2. Due to which, a dispute arose between the first accused and the defacto complainant's daughter and the first accused attempted to kill her by hanging from ceiling fan. He would further submit that due to the said incident, the defacto complainant's daughter is unable to speak normally and till now she is taking treatment.

5.Considering the facts and circumstances of the case and also considering the condition of the victim, this Court is not inclined to grant anticipatory bail to the petitioners.

6.Accordingly, this criminal original petition is dismissed.

sd/-
28/10/2021

/ 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,
Jeeyapuram Police Station,
Trichy District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+2 CC to M/S.P.M.VISHNUVARTHANAN, Advocate SR.No.7623, 7624

ORDER

IN

CRL OP(MD) No.16654 of 2021

Date :28/10/2021

RS/PN/SAR1 (24.11.2021) 3P 5C