



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 16/11/2021

WEB COPY

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD). No.17451 of 2021

1. Abdul Hakkim
2. Bovisha Begum @ Bowisha Begum ... Petitioners/Accused No.1 & 2

Vs

The State rep.by,  
The Inspector of Police,  
All Women Police Station,  
Thiruparankundram, Madurai City.  
(Crime No.1 of 2017)

... Respondent/Complainant

For Petitioner : Mr.C.Vakeeswaran,  
Advocate.

For Respondent : Mr.Rms.Sethuraman,  
Additional Public Prosecutor

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

PRAYER :-For Anticipatory Bail in Crime No.1 of 2017 on the file of the respondent Police.

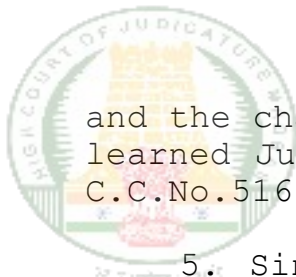
ORDER : The Court made the following order :-

The petitioners/accused Nos.1 and 2, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 498A, 406 and 506(i) I.P.C., altered into 498A, 403 and 506 (i) I.P.C., in Cr.No.1 of 2017, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant and the first petitioner are husband and wife and there is a matrimonial dispute between them. Hence, the present complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocent and a false case has been foisted against them. Hence, he seeks anticipatory bail to the petitioners.

4.The learned Additional Public Prosecutor appearing for the State would submit that the investigation in this case is completed



and the charge sheet was taken on file as C.C.No.516 of 2020 and the learned Judicial Magistrate, after taking cognizance of the case in C.C.No.516 of 2020, ordered issuance of summons to the accused.

5. Since the jurisdictional Magistrate has ordered summons to the accused, the question of granting anticipatory bail to the petitioner does not arise. Hence, this Criminal Original Petition is dismissed.

6. At this juncture, the learned Counsel appearing for the petitioners would submit that the petitioners may be permitted to appear before the concerned Court.

7. The learned Additional Public Prosecutor appearing for the State would submit that after the summons were refused to receive by the petitioners, the case stands posted to 29.11.2021.

8. In view of the above, the petitioners are at liberty to appear before the concerned Court on the next hearing date ie., on 29.11.2021.

sd/-  
16/11/2021

/ 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 JUDICIAL MAGISTRATE CUM ADDITIONAL MAHILA JUDGE,  
MADURAI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
MADURAI DISTRICT.
- 3 THE INSPECTOR OF POLICE  
ALL WOMEN POLICE STATION, THIRUPARANKUNDRAM,  
MADURAI CITY.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to Mr.C.VAKEESWARAN, Advocate ( SR-8139[I] dated 17/11/2021 )

ORDER4 IN  
CRL OP(MD) No.17451 of 2021  
Date :16/11/2021

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<https://hmc.judges.org.in/CaseDetails/11.2021/2P/6C>