



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 09/12/2021
PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.19436 of 2021

1. Velayutham
2. Vanaja
3. Iswarya
4. Dhandapani
5. Mahadevi

... Petitioners/Unnamed Accused

Vs

The state represented by
The Inspector of Police,
All Women Police Station, Kumbakonam,
Thanjaur District
(Crime No.23 of 2021).

... Respondent/Complainant

For Petitioners: Mr.AN.Ramanathan,
Advocate.

For Respondent : Mr.M.Vaikkam Karunanithi,
Government Advocate (Crl.Side)

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

PRAYER :-For Anticipatory Bail in Crime No.23 of 2021 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 498(A), 294(b) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 and Section 4 of Dowry Prohibition Act, 1961, in Crime No.23 of 2021 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant and the 1st accused fell in love and married without the knowledge of their parents. After two years, the 1st accused refused to live with the defacto complainant. Hence, the complaint.

3.When the matter is taken up for hearing, the learned Government Advocate (Crl. Side) submitted that after investigation the offence was altered into 498(A), 294(b) of IPC and Section 4 of



Tamil Nadu Prohibition of Harassment of Women Act, 2002 r/w Section 4 of Dowry Prohibition Act, 1961 and 3(1) ((xi) (xii)) of Scheduled Caste and Scheduled Tribes (Prevention of Atrocities Act) 1989 and alteration report has also been filed before the concerned Court.

4. Since the alteration report has been filed before the concerned Court, question of granting anticipatory bail in Special Act does not arise.

5. The learned counsel for the petitioner submitted that even as per the alteration report, no offences are attracted against the petitioners. Such sort of arguments cannot be taken into consideration at this stage.

6. The petitioners are at liberty to workout their remedy through proper proceedings.

7. Accordingly, this Criminal Original Petition is dismissed.

sd/-
09/12/2021

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/ /2022
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, KUMBAKONAM,
THANJAVUR DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.19436 of 2021
Date : 09/12/2021

MK/JM/SAR-I/05.01.2022 : 2P/3C