



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10/12/2021

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.19654 of 2021

N.Periyasamy,

... Petitioner/Accused No.3

Vs

State rep by,
The Inspector of Police,
All Women Police Station,
Manapparai,
Tiruchirappalli District.
(In Crime No.24 of 2021).

... Respondent/Complainant

For Petitioner : Mr.A.Lourdu Raj.A,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.24 of 2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused No.3 who apprehends arrest at the hands of the respondent police for the offence punishable under sections 323, 498(A) and 506(i) of IPC, in Crime No.24 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 first accused are husband and wife and the petitioner herein is the father-in-law of the defacto complainant. The marriage between the defacto complainant and the first accused took place in the year 2019. After marriage, they got male child. Because of the marriage of the first accused with the another girl, trouble has been arisen between the husband and wife. When that was questioned, assault and harassment has been made against her and she was driven out of the matrimonial house. Hence, this complaint.



3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. He would further submit that A1 was arrested and subsequently released on bail. A2 was granted anticipatory bail by the Sessions Court. Hence, he seeks anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor would submit that there are totally 3 accused. The petitioner was arrayed as A3. A1 was arrested and released on bail and A2 was granted anticipatory bail by the learned Principal District Judge, Trichy.

5.The main allegation against the petitioner is that he has also supported the second marriage of A1. It is seen that bald allegation that has been made against this petitioner stating that he also harassed the defacto complainant by demanding dowry. A perusal of CD file shows that the effort was made to settle the issue. Because of the second marriage of A1, it could not be settled.

6.Considering the facts and circumstances of the case and also considering the fact that bald allegations have been made against the petitioner and other co-accused already released on bail, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7.Accordingly, the petitioner is ordered to be released on bail, on executing a personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Manapparai, and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C scrupulously.

sd/-

10/12/2021

/ TRUE COPY /

/ /2021

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

dss

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
MANAPPARAI.

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.

3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
MANAPPARAI,
TIRUCHIRAPPALLI DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.19654 of 2021
Date :10/12/2021

PKP/JC/SAR-1/22.12.2021/3P/5C