



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Second day of February Two Thousand Twenty Two

PRESENT

The Hon`ble Mrs Justice T.V. THAMILSELVI

CRIMINAL ORIGINAL PETITION No.1354 of 2022

1 HAIJULAL
2 USHAMONY

[PETITIONERS / ACCUSED]

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
S7 MADIPAKKAM POLICE STATION,
CHENNAI DISTRICT
(CRIME NO.516 OF 2021)

[RESPONDENT]

For Petitioners : M/S. R.S.INDIRA Advocate

For Respondent : MR.A.GOKULAKRISHNAN, Additional public Prosecutor

For Intervenor : M/S.DINESH BOSE, Advocate

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

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 406 and 420 of IPC, in Crime No.516 of 2021, seek anticipatory bail.

2. The case of the prosecution is that the first petitioner is the husband and the second petitioner is the mother-in-law of the defacto complainant. The defacto complainant made a complaint against the petitioners stating that the 1st petitioner has debt of Rs.16 lakhs and he received the said sum of Rs.16 lakhs from the defacto complainant on promise of marrying her, who is a widow. As promised, the 1st petitioner married the de facto complainant, but, refused to have cordial relationship with her and is having illicit intimacy with another lady.



3. The learned counsel appearing for the petitioners would submit that the petitioners have not committed any offence as alleged by the prosecution. Accordingly, he prays for grant anticipatory bail to the petitioners.

4. The learned counsel for the Intervenor submits that the 1st petitioner is the husband and the 2nd petitioner is the mother-in-law. The defacto complainant is a widow and the 1st petitioner is a divorcee and they approached the intervenor parents through the website and they both got remarried in the year 2014. He further submits that out of her previous wedlock she gave birth to a male child who was 13 years old at the time of her re-marriage. Also the intervenor accepted for the remarriage only for her son's future and the 1st petitioner knowing this well, had adopted her son legally and promised the de facto complainant that he will look after them. The defacto complainant had joined in a chit namely Jayapriya Chit Fund private limited for the value of Rs.10,00,000/- and taken and gave it to them but subsequently, the 1st petitioner has also filed a petition seeking divorce. Hence, dispute.

5. The learned Additional Public Prosecutor submits that after solving all their money disputes, the petitioner/A1 told the intervenor that he has to go to Andaman for official purpose and left the defacto complainant. The 1st petitioner is having illicit relationship with many women and is in the habit of extracting money from them. He further submits that the investigation is not yet completed.

6. Considering the fact that the first petitioner is having affairs with many women and he is in the habit of spoiling the life of many women as also the fact that the investigation is not yet completed, this Court is not inclined to grant anticipatory bail to the petitioners.

7. Accordingly, this petition is dismissed.

-sd/-
02/02/2022

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.



TO

1 THE INSPECTOR OF POLICE,
S7 MADIPAKKAM POLICE STATION,
CHENNAI DISTRICT

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S. R.S.INDIRA Advocate on payment of necessary charges

CRL OP.1354/2022

Date :02/02/2022

JPA 14/02/2022