



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.02.2022

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Cr1.O.P.No.2201 of 2022

1.Tamilselvan
2.Lakshmi

...Petitioners

Vs.

The State Represented by
The Inspector of Police,
All Women Police Station,
Villupuram.
(Crime No.8 of 2022)

... Respondent

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C., praying to enlarge the petitioner on bail in the event of his arrest by the respondent police concerned in crime No.8 of 2022, on the file of the respondent Police.

For Petitioner : Mr.T.Magendran

For Respondent : Mr.A.Gokulakrishnan,
Additional Public Prosecutor

ORDER

The petitioner, who apprehends arrest for the alleged offence under Section 498(A) of IPC, in Cr.No.8 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the 1st petitioner is the husband and the 2nd petitioner is the mother-in-law of the defacto complainant. The 2nd petitioner scolded the defacto complainant in filthy language and hence the 1st petitioner vacated the matrimonial house from his Melathangal village and set up a residence house in Villupuram for the defacto complainant. The defacto complainant introduced her friend viz., Gowthami and the 1st petitioner and said Gowthami had some affair and the 1st petitioner did not visit the defacto complainant for long time and hence she lodged a complaint.



3.The learned counsel appearing for the petitioner submits that the 1st petitioner completed ITI and working in private sector companies. The 1st petitioner submits that he got marriage with his wife namely Rama Thilagam in the year 06.06.2007. The 1st petitioner was worked in the Madura Micro Finance Company, Villupuram in the year 2011 to 2012. In the said company, a lady named Subha was also worked there. The said subha and family and the petitioners became family friends for nearly 10 years. The said Subha introduce her friend namely Gowthami, the defacto complainant herein to the 1st petitioner a year before. Through whatsapp they mutually shared messages, the defacto complainant become very closer to the 1st petitioner. He further submits that the defacto complainant threatened the 1st petitioner with dire consequences through her brother namely Prabakaran Advocate. From that point, the dispute arose between the 1st petitioner and the defacto complainant. Hence, he prayed to grant anticipatory bail to the petitioners.

4.The learned Additional Public Prosecutor submits that the 1st petitioner already married one Rama Thilagam in the year 2007 and the 1st petitioner and the defacto complainant both were already married and that there was some affair and trouble arose between them.

5. Considering the facts and circumstances of the case and also the submissions made by both counsel that both were already married had some affair, and that the investigation is almost completed, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, the petitioners are directed to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days after lifting of lockdown or the commencement of the Court's normal functioning whichever is earlier, before the learned Judicial Magistrate No.I, Villupuram, on condition that the petitioners shall execute a 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

(a)the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b)the 1st petitioner shall report before the respondent police every Monday and Saturday at 10.30 a.m., for a period of four weeks and thereafter as and when required for an interrogation and the 2nd petitioner shall appear before the respondent police as and when required for interrogation;

