



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Twenty Sixth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice M. NIRMAL KUMAR

CRIMINAL ORIGINAL PETITION No.12369 of 2022

1 SILAMBARASAN
2 RAVI
3 KUPPU

[PETITIONERS/ ACCUSED]

Vs

THE STATE REP BY ITS,
THE INSPECTOR OF POLICE,
NALLAN PILLAI PETRAL POLICE STATION,
VILLUPURAM DISTRICT.
(CR.NO.12 OF 2022)

[RESPONDENT]

For Petitioner : M/S.ARUN ANBUMANI Advocate

For Respondent : MR.C.E.PRATAP, Govt. Advocate (Crl. Side)

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 Section 174(3) of I.P.C. in Crime No.12 of 2022, seek anticipatory bail.

2. The contention of the petitioners is that the first petitioner is the husband of one Abila, the second and third petitioners are in-laws of the first petitioner. The first petitioner got married to Abila on 02.04.2021. During the marriage, customary sridhana articles were presented. Thereafter, on 20.01.2022, the said Abila was admitted in a Government Hospital at Kilpennathur and taken treatment for certain health issues. Later, she was referred to the Government Hospital at Thiruvannamalai. Finally, she died on 20.01.2022 due to abdominal pain and other complications. Earlier, Abila's mother stayed in the first petitioner's house and taken care of Abila during her medical treatment. Though the respondent-Police registered the F.I.R on 21.01.2022 in Crime No.12 of 2022 under Section 174(3) of Cr.P.C on the complaint given by the Abila's father, the case is still pending for the past four months. Now, the respondent Police are harassing the



petitioners stating that the cases would be altered for offences under Sections 498-A of IPC r/w and Section 3 and 4 of the Dowry Prohibition Act. Further, the respondent-Police advised the first petitioner to surrender and the second and third petitioners to obtain Anticipatory Bail. The apprehension of arrest is real and the respondent-Police is calling upon the petitioners and harassing them regularly at odd hours.

3. The learned Government Advocate (Crl.side) submitted that in this case, F.I.R registered. Thereafter, investigation is in progress. Admittedly, the death of Abila has taken place within seven years of marriage. The Revenue Divisional Officer (RDO) enquiry is to be completed. After the RDO enquiry, the case would be appropriately altered. The petitioners' apprehension is un-founded. At this stage, this petition is not maintainable.

4. Considering the above submissions, it is seen that the petitioners' apprehension seems to be reasonable. The victim had died within seven years of marriage and the RDO enquiry is in progress. Further, it is not in dispute that the victim Abila has undertaken medical treatment regularly. Even her mother had also accompanied her for medical treatment. In any event, only after the RDO enquiry, further course of Crime No.12 of 2022 would be known. Till such time, the respondent Police is directed not to take any co-ercive action as against these petitioners.

5. Accordingly, this Criminal Original Petition is disposed of.

-sd/-

26/05/2022

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,
NALLAN PILLAI PETRAL POLICE STATION,
VILLUPURAM DISTRICT.



2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.ARUN ANBUMANI Advocate on payment of necessary
charges SR.No.8020

CRL OP.12369/2022

Date :26/05/2022

CSK 31/05/2022