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CrI.O.P.No.19337 of 2022

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G.K.ILANTHIRAIYAN, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 498A, 323 and 506(i) IPC, r/w Section 4 of Dowry Prohibition Act, in Crime No.65 of 2022, seeks anticipatory bail.

1. The case of the prosecution is that on 15.05.2022, marriage was solemnized between the petitioner and the defacto complainant at Rosary Church, Somanur, and all the marriage expenses were borne by both the family equally. Further, there is no demand either from the petitioner or his family members at the time of marriage. After the marriage, they set up their matrimonial house at the petitioner's parental house. While that being so, there was misunderstanding between the petitioner and the defacto complainant and she left the matrimonial home and taken her jewels without informing the petitioner and lodged a complaint.

2.



Crl.O.P.No.19337 of 2022

WEB COPY

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that the petitioner demanded dowry from the defacto complainant and assaulted her and there is no change of circumstance after dismissal of the earlier anticipatory bail petition. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. It is seen that the learned counsel for the petitioner would submit that this Court had, on the last occasion dismissed the earlier petition on the ground that the petitioner was not ready and willing to return the jewels, household articles and beero, which belong to the defacto complainant. He would further submit that the matter was referred before the mediation for amicable settlement. The learned counsel for the defacto



Crl.O.P.No.19337 of 2022

WEB COPY

complainant would submit that already the petitioner filed anticipatory bail before this Court, which was dismissed, and suppressing the said fact, the petitioner had again filed this petition. The Court below referred the matter before the mediation. However, the petitioner never appeared before the mediation as such, the Court below dismissed the petition. That apart, the petitioner assaulted the victim/defacto complainant and she got admitted to the hospital as in patient for five days.

6. Considering the above facts and circumstances and also there is no change of circumstances, this Court is not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, the Criminal Original Petition is dismissed.

16.08.2022

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