



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.24586 of 2021

1 P.VIJAYAKUMAR
2 VIMALA
3 V.VEERAMANI

[PETITIONERS / ACCUSED]

Vs

THE STATE REP BY ITS
THE INSPECTOR OF POLICE,
W16, ALL WOMEN POLICE STATION,
PULIANTHOPE, CHENNAI
CRIME NO.17 OF 2021

[RESPONDENT]

For Petitioners : M/S.E.BALAJI, Advocate for
M/S.A.ARASU GANESAN, Advocate

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

For Intervenor : M/S.K.JANARTHANAN, 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 498-A, 406 and 506(i), in Crime No.17 of 2021, seek anticipatory bail.

2. The case of the prosecution is that the first petitioner is the father-in-law, second petitioner is the mother-in-law and the third petitioner is the husband of the defacto complainant. The defacto complainant made a complaint before various forum including the respondent police for the past four months alleging that the 3rd petitioner married the defacto complainant on 11.03.2021 by compulsion that as the 3rd respondent had love affair with the defacto complainant and during that time, he promised to marry her, but, subsequently refused. Thereafter, initially she made a complaint



before the State Women's Commission, for which, the defacto complainant and 3rd petitioner appeared before the said commission, where the 3rd petitioner was compelled by the commission to perform the marriage with the defacto complainant otherwise his job would be disturbed. Accordingly, the 3rd petitioner married the defacto complainant due to the compelling circumstances. This is a case of matrimonial dispute, subsequently, he harassed her to give divorce. Hence, again she gave this fresh complaint. But he falsely contended that she gave torture by demanding money. He being police attempted to play all sort of deceitful tactics to get away from this marriage. Hence, the complaint.

3. The learned counsel for the petitioners would submit that this is a case of matrimonial dispute and hence, there is no need for custodial interrogation and the same was discussed in many occasions. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor submits that the petitioner is having affair with many women and hence, the present case has been filed on the complaint of the de facto complainant. He further submits that the investigation is not yet completed.

5. Considering the fact that the third petitioner is working as police, already attempted to cheat the defacto complainant by arranging marriage with another woman, hence she gave complaint, in order to safeguard his job he married her, thereafter he wants to get divorce from her by giving harassment. His intention is mala fide one and the same should not be encouraged.

6. On seeing his conduct, this Court is not inclined to grant anticipatory bail. 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,
W16, ALL WOMEN POLICE STATION,
PULIANTHOPE, CHENNAI



2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

WEB COPY

+1 CC to M/S.E.BALAJI, Advocate on payment of necessary charges
SR.NO.1715

CRL OP.24586/2021

Date :02/02/2022

JPA 16/02/2022