



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/02/2022

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PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.2295 of 2022

1. Arunkumar,

2. Selvaraj,

3. Jegan,

... Petitioners/Accused 1 to 3

Vs

The State Rep. by ,
The Inspector of Police,
Vallathirakottai Police Station,
Pudukkottai District.
(Cr.No.2 of 2022).

... Respondent/Complainant

For Petitioners: MR.D.Venkatesh, Advocate.

For Respondent : Mr.S.Manikandan,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory bail in Crime No.2 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused 1 to 3, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 120 B, 294(b) & 506(i) of IPC, in Crime No.2 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant is the brother-in-law of the first petitioner. Due to matrimonial issue, the defacto complainant and his wife are living separately. on 10.09.2021, the petitioners herein said to have abused the defacto complainant in filthy language and threatened him by showing a knife. Hence, this complaint.



3.The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case. He further submitted that it is a matrimonial dispute between the husband and wife. The defacto complainant and the sister of the first petitioner are husband and wife. Originally, the defacto complainant and the sister of the first petitioner loved each other while practicing as an advocate and thereafter, they got married. While he practicing as an advocate, he had illegal affair with one Priyadharshini. Later, he became Magistrate.Due to his illegal affair, frequent trouble arose between them. Hence, the wife of the defacto complainant made a complaint before the learned Principal District Judge, Thanjavur. In order to take vengeance and by misusing his official capacity, an anti-dated false complaint has been made before the Alangudi Police Station and a case has been registered in Crime No.12 of 2022 against the accused. Subsequently, the accused moved anticipatory bail before this Court and it was posted for orders. The respondent police issued summon to the first petitioner. Since the first petitioner is working as professor at Central University of Kerala, he did not appear in person. The first petitioner being brother and other petitioners being close relatives of the wife of the defacto complainant, they have falsely implicated in this case. Hence, he prays to grant anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl. Side) for the respondent police submitted that it is a matrimonial dispute between the sister of the first petitioner and the defacto complainant. Due to the above said issue, a case has been registered.

5.Considering the facts and circumstances of the case and also considering the fact that it is a matrimonial dispute between the husband and wife, this Court is inclined to grant anticipatory bail to the petitioners.

6.Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate No.I, Pudukkottai, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and the petitioners shall appear before the respondent police **as and when required for interrogation**. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.



7.The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

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/ /2022

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

dss

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

- 1 THE JUDICIAL MAGISTRATE NO.I
PUDUKKOTTAI.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
PUDUKOTTAI DISTRICT.
- 3 THE INSPECTOR OF POLICE,
VALLATHIRAKOTTAI POLICE STATION,
PUDUKKOTTAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.2295 of 2022
Date :04/02/2022

PKP/MS/SAR-3/10.02.2022/3P/5C