



WEB COPY

CRL OP(MD).



22

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 01/08/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.3331 of 2022

1. Manivannan,

2. Shanmugavalli,

3. Manjula,

... Petitioners/Accused Nos. 1 to 3

Vs

State Rep.by
The Inspector of Police,
All Women Police Station,
Aranthangi,
Pudukkottai District
(Crime No. 5 of 2022)

... Respondent/Complainant

For Petitioner : Mr.R.Shankar Ganesh, Advocate.

For Respondent : Mr.M.Vaikkam Karunanithi,
Government Advocate (Crl.Side)

For Defacto complainant: Mr.K.Balasundharam, Advocate

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

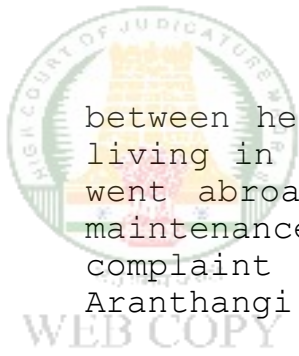
PRAYER :-

For Anticipatory Bail in Crime No.5 of 2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners are facing charges under Sections 294(b), 323, 498A and 506(i) IPC in Crime No.5 of 2022 on the file of the respondent police.

2.The case of the prosecution is that the defacto complainant, who is the wife, lodged a complaint stating that the marriage



between herself and the 1st accused was performed. Later, the husband was living in joint family. When she was 8 months pregnant, the husband went abroad and later lost the contact. She was not given proper maintenance, food etc., Unable to bear the harassment, she lodged a complaint through her father before the All Women Police Station, Aranthangi.

3. In that enquiry, all the accused persons have given an undertaking that they will not make any trouble to her. So, that was settled. Later on 05.02.2022, again the problem arose. All the accused persons scolded, assaulted and driven her out of the house. Based upon the aforesaid occurrence and allegations, the present case has been registered. Now, seeking anticipatory bail, all the accused persons are before this Court.

4. The matter was referred to mediation and in the mediation process, for one or other reason, it could not be settled. Now, the demand that was made by the defacto complainant is that she wants a separate residence, but that was not considered.

5. Considering the aforesaid facts and circumstances of the case and in spite of the best effort that was made by the mediation centre as well as the counsel on record on either side, the settlement could not be arrived at between the parties. Considering the aforesaid development, this Court is inclined to grant anticipatory bail to the petitioners, since the 1st petitioner is the husband of the defacto complainant and the petitioners 2 and 3 are only the in laws.

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, Aranthangi, Pudukkottai District, 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 daily at 10.30 a.m. until further orders. 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.

sd/-
01/08/2022

/ TRUE COPY /

/08/2022

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



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,
ARANTHANGI, PUDUKKOTTAI DISTRICT.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI DISTRICT.
- 3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, ARANTHANGI,
PUDUKKOTTAI DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.R.SHANKAR GANESH, Advocate (SR-8042[I] dated 02/08/2022

ORDER
IN
CRL OP(MD) No.3331 of 2022
Date :01/08/2022

PKP/JM/SAR-3/17.08.2022/3P/6C