



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 11/07/2022
PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.4963 of 2022

1. A.Natrayan
2. Ramayee

... Petitioners/Accused Nos.1 & 2

Vs

1 The State rep.by,
The Inspector of Police,
All Women Police Station,
Karur District
(Crime No.3 of 2022)

... Respondents/Complainant

2. Muthulakshmi
(R2 Suo-motu impleaded as per Order of
this Hon`ble Court dated 16.03.2022 in
Crl OP(MD)No.4963/2022)

... 2nd Respondent

For Petitioners : Mr.S.Pugalendhi, Advocate.
For Respondent : Mr.P.Kottai Chamy
No.1 Government Advocate (Crl.Side)

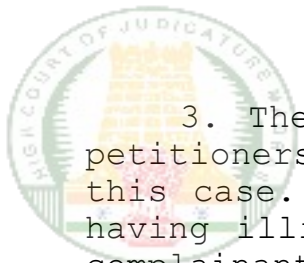
PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-For Anticipatory Bail in Crime No.3 of 2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 323, 498(A), 506(i) IPC, in Crime No.3 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the marriage between the defacto complainant and the first accused took place, twelve years prior to the occurrence. They have two children and the first accused was working in Malaysia. The first accused is having illicit relationship with another women. Due to which, trouble arose between them. The defacto complainant left her matrimonial home and lived with her father. On 20.02.2022, the first accused trespassed into the house of the defacto complainant and tried to assault her with sickle and also assaulted her parents. Hence, the complaint.



3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case. It is a false allegation that the first petitioner is having illicit relationship with another women. It is the defacto complainant, who has illicit relationship with another man. To substantiate his contention, he has produced the FIR in Crime No.4 of 2022, which was registered by the defacto complainant's father. Hence, prays to release them on anticipatory bail.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that there is a matrimonial dispute between the parties. The case is under investigation.

5. Reading of FIR in Crime No.4 of 2022, dated 06.01.2022 shows that the father of the defacto complainant gave the complaint stating that due to matrimonial dispute, her daughter along with her two children stayed in his house and refused to go to her matrimonial home. On 05.01.2022, she was found missing along with her children and the same was also informed to his son-in-law (ie., first petitioner). In the complaint, the defacto complainant refused to go to her matrimonial home, for the reasons best known to her. However, there is no allegation to the fact that the first petitioner is having illicit relationship with another woman. Whereas, FIR in this case ie., Crime No.3 of 2022 was lodged by the defacto complainant only on 24.02.2022.

6. Considering the above facts and circumstances of this case and in Crime No.4 of 2022, nature of offence levelled against the petitioners and matrimonial dispute between the parties, this Court is inclined to grant anticipatory bail to the petitioners.

7. 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, Additional Mahila Court, Karur, 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.

8. 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/-

11/07/2022

/ TRUE COPY /

/07/2022

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



TO

1. THE JUDICIAL MAGISTRATE,
ADDITIONAL MAHILA COURT, KARUR.
2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
KARUR DISTRICT.
3. THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, KARUR DISTRICT
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.4963 of 2022
Date :11/07/2022

PNM
MK/VR/SAR.I/15.07.2022/3P/5C