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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/07/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP (MD) . No.6318 of 2022

1. Janaki
2. Katturaja
3. Sheela @ Sheelarani
4. Baby Shalini
5. Nambirajan

... Petitioners/Accused
No.2 to 4, 7 & 8

Vs

State rep.by
The Inspector of Police,
All Women Police Station,
Pattukkotai,
Thanjavur District.
(Crime.No.9 of 2022).

... Respondent/Complainant

For Petitioners : M/s.Arun Prasad.A., Advocate.

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

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

PRAYER :-

For Anticipatory Bail in Crime No.9 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 498(A), 294(B), 494 and 506(i) IPC, in Crime No.9 of 2022 on the file of the respondent police, seek anticipatory bail.



month of marriage A1 returned to foreign country to his job. The defacto complainant has become pregnant, later, delivered a female child and at that time, the first accused requested the 5th accused and her husband viz., Kannan to take care of her wife. On that basis, they frequently visited their house. The defacto complainant's sister viz., Barkavi also visited the house of the defacto complainant and stayed there and at that time, the said Kannan misbehaved with her. When that was brought to the notice of the defacto complainant, he made quarrel with her and that the mother-in-law and sister-in-law of the defacto complainant viz., Sheelarani take her sister and left in the parental home. Thereafter, there was no connection between the defacto complainant and her husband.

3. It is also brought to the notice of this Court that the first accused married the 7th accused and when that was enquired by the defacto complainant with the said Kannan, he has criminally intimidated her. According to her, co-accused changed the mind of A1 for marrying A7 and on that basis, a case has been registered against the petitioners herein.

4. The learned counsel appearing for the petitioners submitted that though the specific allegations have been made against the petitioners 1,3, 4 and 5, the allegation against the 2nd petitioner that he has also changed the mind of the first accused for marrying the 7th accused is vague one. He would further submit that the 2nd petitioner is no way connected with the case of the prosecution.

5. The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that there was a matrimonial dispute between the parties and the investigation is pending.

6. Considering the nature of offence, the overt act attributed against the 2nd petitioner, this Court is inclined to grant anticipatory bail to the 2nd petitioner alone.

7. Accordingly, this Criminal Original Petition is partly allowed and the 2nd petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned District Munsif Cum Judicial Magistrate, Orathanadu on condition that the 2nd petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and the 2nd petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders. The 2nd petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

8. The 2nd petitioner 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.



9. In view of the endorsement made by the learned counsel appearing for the petitioners, this Criminal Petition is dismissed as withdrawn as against the petitioners 1 and 3 to 5.

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Sd/-
05/07/2022

/ TRUE COPY /

/ /2022
Sub-Assistant Registrar (C.S.I)
Madurai Bench of Madras High Court,
Madurai - 625 023.

trp

TO

1. THE DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, ORATHANADU.
2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT.
3. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
PATTUKKOTTAI, THANJAVUR DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP (MD) No.6318 of 2022
Date :05/07/2022

SP/SVR/SAR I/14/07/2022/3P/5C