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CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/10/2022

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD). No.12248 of 2022

1.Vasantha

2. Subramaniyan

... Petitioners/Accused Nos.2 & 3

Vs

The State Rep.by
The Inspector of Police,
Viralimalai Police Station,
Pudukkottai District.
Crime No.180/2022.

... Respondent/Complainant

For Petitioners : M/s. Vigneshkumar.K,
Advocate.

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

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

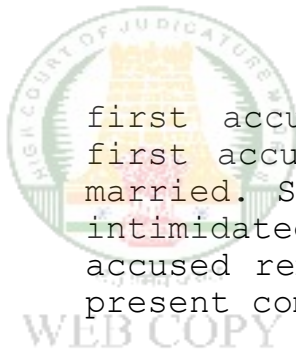
PRAYER :-

For Anticipatory Bail in Cr.No.180/2022 on the file of the respondent police.

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 417, 376(1) and 506(i) of I.P.C, in Crime No.180 of 2022, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant's husband died in the year 2017. The defacto complainant and the first accused fell in love with each other. Thereafter, the first accused developed physical relationship with the defacto complainant. Since the petitioners, who are the parents of the



first accused, arranged the marriage with some other br the first accused and the defacto complainant left their home and got married. Subsequently, the petitioners and other accused criminally intimidated and threatened the defacto complainant and the first accused removed the thali from the defacto complainant. Hence, the present complaint.

3.The learned counsel for the petitioner would submit that the petitioners are the parents of the first accused. They are innocent persons and they have been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl.side) appearing for the respondent police would submit that the statement of the victim has been recorded under Section 164 Cr.P.C and there is a specific overt act attributed against the petitioners. He would further submit that investigation in this case is not yet completed and the custodial interrogation of the petitioners is very much necessary. Hence, he opposed for grant of anticipatory bail.

5.The learned counsel appearing for the intervenor strongly opposed for grant of anticipatory bail to the petitioners.

6.Considering the facts and circumstances of the case, nature of the offence, the specific overt act attributed against the petitioners and the serious objections raised by the prosecution, this Court is not inclined to grant anticipatory bail to the petitioners at this stage.

7.Accordingly, this Criminal Original Petition is dismissed.

sd/-
18/10/2022

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/11/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

CP

TO

1.The Inspector of Police,
Viralimalai Police Station,
Pudukkottai District.



2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.K.VIGNESHKUMAR, Advocate (SR-50219[F] dated 18/10/2022
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ORDER

IN

CRL OP(MD) No.12248 of 2022

Date :18/10/2022

RD/SBN/SAR-IV(03/11/2022) 3P 4C