



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 23/09/2022
PRESENT

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

CRL OP(MD) . No.12814 of 2022

1. K.Dharmarajan

2. D.Chellammal

3. D.Nathiya

4. D.Bavya

... Petitioners/A2,A3,A4 & A5

Vs

1.The State rep.by

The Inspector of Police,

All Women Police Station, Tiruppathur,

Sivagangai District.

Crime No.6 of 2022.

... Respondent/Complainant

2.Divya

... 2nd Respondent

(R2 is Suo Motu Impleaded as Per
Order of the Court dated
03/08/2022 in Cr1.O.P(MD)No.12814
of 2022 by GIJ).

For Petitioners : M/s.Shajahan A,
Advocate.

For R1 : Mrs.M.Aasha
Government Advocate (Cr1.Side)

For R2 : Mr.R.Anand, Advocate

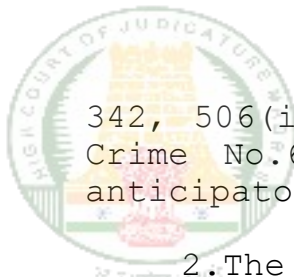
PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :- For Anticipatory Bail in Crime No.6 of 2022 on the file of
the Respondent Police.

ORDER : The Court made the following order :-

The petitioners apprehending arrest at the hands of the
respondent police for the offences punishable under sections 498(A),

<https://www.mhc.tn.gov.in/judis>



342, 506(i) IPC r/w. Sections 4 and 6 of Dowry Prohibition Act in Crime No.6 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that at the time of marriage, the defacto complainant has given 105 sovereigns of gold and silver utensils and other sreedhana articles including Hyndai Car as dowry to the petitioners. After the marriage, A2, who is the father-in-law of the defacto complainant demanded additional dowry of Rs.15,00,000/-, Hyndi Car worth Rs.40,00,000/- and 20 sovereigns of gold chain and also tortured her both mentally and cruelly. Hence, the complaint.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent and they have not committed any offence as alleged by the prosecution. He would further submit that the defacto complainant was in the matrimonial home only for 11 days and all the articles were taken away by her. He further contended that A1 is working as an Engineer at Canada, due to Covid-19 pandemic situation he was not able to come to India for the past two years and now, due to Russian War he was not able to take leave to come to India. He further submitted that the petitioners herein never demanded additional dowry and prayed for granting anticipatory bail.

4. The learned counsel for the intervenor submitted that A1 has not taken any steps to take the defacto complainant to Canada. He would further submit that A1 is living with another girl at Canada and this is the main reason for not returning to India. He would further submit that when the defacto complainant was in matrimonial home, the petitioners herein have tortured the defacto complainant both mentally and cruelly and strongly objected to grant anticipatory bail to the petitioners.

5. The learned Government Advocate (Crl.Side) appearing for the respondent would submit that it is a case of matrimonial dispute between A1 and the defacto complainant and that the petitioners herein have demanded additional dowry of Rs.15,00,000/-, Hyndi Car worth Rs.40,00,000/- and 20 sovereigns of gold chain. After the marriage A1 went to Canada for his work and thereafter, he has not taken any steps either to take the defacto complainant to Canada or to return back to India. He would further submit that A1 is living with another girl at Canada and the both the petitioners and A1 have harassed the defacto complainant through whatsapp messages and hence, the custodial interrogation of the petitioner is necessary and strongly objected to grant anticipatory bail to the petitioner.

6. Considering the submission made by the learned Government Advocate (Crl. Side) appearing for the respondent and that the petitioners have committed serious nature of offence, this Court is



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not inclined to grant anticipatory bail to the pet. 3.
Accordingly, this Criminal Original Petition is dismissed.

sd/-
23/09/2022

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/10/2022

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

TO

- 1 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, TIRUPPATHUR,
SIVAGANGAI DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.R.ANAND, Advocate SR.No.10572

**ORDER
IN**

CRL OP(MD) No.12814 of 2022
Date :23/09/2022

trp
SA/VR/SAR. /07.10.2022/3P/4C