



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/10/2022

WEB COPY

PRESENT

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

CRL OP(MD). Nos.12902 of 2021 and 5316 of 2022

Sridhar

... Petitioner/Single Accused
in Crl.OP(MD)No.12902 of 2021

1. Maragatham
2. Muthukaruppan
3. Rajesh Kumar
4. Pandipriya
5. Asothiyammal @ Gothai
6. Rani @ Nagarani

... Petitioners/Accused Nos.2 to 7
in Crl.OP(MD)No.5316 of 2022

Vs

State Rep.by
The Inspector of Police,
Cantonment All Women Police Station,
Tricity, Trichy District.
(Crime No.4/2022)..

... Respondent/Complainant
in both petitions

(*) Amended as per order of the court
dated 16.09.2022 in Crl MP(MD)No. 4028 OF
2022 in Crl OP(MD)No.12902 /2021 by AANJ

In both petitions:

For Petitioner : M/s.Kannan V,Advocate

For Respondent : Mrs.M.Aasha,
Government Advocate (Crl.Side)

In Crl.OP(MD)No.12902 of 2021:

For Intervener : Mr.B.Jameel Arasu, Advocate



PETITIONS FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.

COMMON PRAYER :-

For Anticipatory Bail in Crime No.4 of 2022 on the file of the Respondent Police.

WEB COPY

COMMON 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), 406, 506(i) I.P.C, in Crime No.4 of 2022, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the first accused married the defacto complainant on 27.01.2020 and during marriage, sridhana articles worth about Rs.10 lakhs, 60 sovereigns of gold and one car were given by the defacto complainant's parents. Apart from that, after marriage, the accused persons demanded more dowry, harassed and threatened her. Hence, the complaint.

3. On the side of the petitioners, it is stated that the petitioners are innocent and they had not committed any such offence, as alleged by the prosecution. They are in no way connected with the offence. There is possibility for reunion, but the father of the defacto complainant lodged complaints one after another. Hence, prays to release them on anticipatory bail.

4. On the side of prosecution, it is stated that the first accused is the husband of the defacto complainant and the other accused are her in-laws. The accused persons demanded dowry from the defacto complainant, cruelly harassed her and her child. As per the letter received from the Social Welfare Officer, the petitioners have not co-operated with the enquiry and therefore, she could not give a report in that regard. In this case, custodial interrogation of the petitioners are very much necessary to complete the investigation process and raised his strong objection to allow these petitions.

5. On the side of intervener, it is stated that in this case, the accused persons demanded dowry and harassed the defacto complainant. During mediation itself, the first accused tried to assault the defacto complainant in the presence of Mediator. In this case, during the pendency of investigation, A4 went abroad and he is not in India and as per the order of this Court, a look-out circular was also issued. If the petitioners are released on bail, they will cause trouble to the defacto complainant and they will hinder the process of investigation. Hence, prays to dismiss the petition.



6. Considering the facts and circumstances of the case, is allegations levelled against the petitioners and the specific overt act against all the accused persons and also considering the fervent objections raised by the prosecution and by the intervener, this Court is not inclined to grant anticipatory bail to the petitioners.

7. Accordingly, these Criminal Original Petition stand dismissed.

sd/-
12/10/2022

/ TRUE COPY /

/10/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE INSPECTOR OF POLICE
TRICHY CONTONMENT
ALL WOMEN POLICE STATION,
TRICHY DISTRICT.

2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to MR.V.KANNAN, Advocate SR.No.11312(I)

ORDER
IN
CRL OP(MD). Nos.12902 of 2021
and 5316 of 2022
Date :12/10/2022

pnm
PKP/GB/SAR-2/17.10.2022/3P/4C