



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 27/09/2022

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN
CRL OP(MD). No.14321 of 2021

WEB COPY

1. Kasankathal
2. M.Mariamammal

... Petitioners/2nd & 3rd Accused

Vs

1.State Rep.by
The Inspector of Police,
All Women Police Station,
Srivaikundam,
Thoothukudi District.
(Crime No.15 of 2021)

... Respondent/Complainant

2. Jeyarani

... 2nd Respondent

(R-2 suo motu impleaded as per
order of this Court dated
14.12.2021 in CrI.O.P(MD) No.14321
of 2021 by GIJ)

For Petitioners : M/s.Suresh.R.M, Advocate.
For Respondent-1 : M/s.M.Aasha,
Government Advocate (Crl.Side)
For Respondent-2 : Mr.A.Ilayaraja, Advocate

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

PRAYER :-

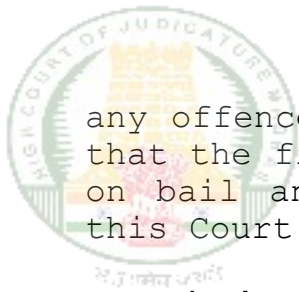
For Anticipatory bail in Crime No.15 of 2021 on the file of the
Respondent Police

ORDER : The Court made the following order :-

The petitioners/A2 & A3, who apprehend arrest at the hands of
the respondent police for the offences punishable under Sections 498
(A), 294(B) of IPC, in Crime No.15 of 2021, seek anticipatory bail.

2.The case of the prosecution is that due to matrimonial
dispute between the parties, the petitioners and other accused
harassed the de-facto complainant by demanding additional dowry and
driven her out of the matrimonial home and also tried to kill her
second child. Hence, the complainant.

3.The learned counsel for the petitioners would submit that it
a matrimonial dispute. The petitioners are the in-laws of the
complainant. They are innocents and they have not committed



any offence as alleged by the prosecution. He would further submit that the first accused was already arrested and thereafter, released on bail and the petitioners shall abide any condition imposed by this Court.

4. The learned Government Advocate (Crl. Side) would submit that the specific allegations against the petitioners is that the first petitioner harassed the defacto complainant by demanding dowry and the second petitioner induced the first accused to send away the defacto complainant from matrimonial home. He would further submit that this matter was already referred to the District Social Welfare Committee and also the mediation centre, but no amicable settlement was reached and also they have not handed over the jewels of the defacto complainant till date and the investigation is still pending. Hence, he strongly opposed for grant of bail.

5. Considering the facts and circumstances of the case and considering the nature of offence and also the fact that there is a specific allegation made against the petitioners, this Court is not inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Criminal Original Petition is dismissed.

sd/-

27/09/2022

/ TRUE COPY /

/10/2022

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

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION, SRIVAIKUNDAM, THOOTHUKUDI DISTRICT.

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

+1 CC to M/s.R.M.SURESH, Advocate (SR-10640[I] dated 28/09/2022)

+1 CC to M/s.A.ARPUTHARAJ, Advocate (SR-10674[I] dated 28/09/2022)

ORDER IN

CRL OP(MD) No.14321 of 2021

Date : 27/09/2022

CP

<https://www.mhjudis.org/10.10.2022> 2P-5C