



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02/09/2022

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.15186 of 2022

1. Athi Sakthi Guru

2. Pitchaimani

3. Karthiga

4. Kannan

... Petitioners/Accused Nos. 1 to 4

Vs

State Rep.by
The Inspector of Police,
Watrap Police Station,
Virudhunagar District.
Crime No.174 of 2022.

... Respondent/Complainant

For Petitioners : Mr.S.Mahalingam, Advocate

For Respondent : Mr.P.Kottai Chamy,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.174 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 366(A), 294(b), 323, 506(i) IPC r/w Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 1998, in Crime No.174 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant's daughter was abducted by A1 and on 05.07.2022 at about 11.50 PM, the defacto complainant went to the house of A1. At that



time, the family members of A1 abused and assaulted the complainant. Hence, the complaint.

3. Today, when the matter is taken up for hearing, the learned counsel for the petitioners submitted that the respondent Police has arrested the first accused. Hence, this petition is dismissed as infructuous as against the first petitioner.

4. The learned counsel for the petitioners submitted that the petitioners 2 to 4 are innocent and they have been falsely implicated in this case.

5. On perusal of statement recorded under Section 164 Cr.P.C, the victim has not supported the case of prosecution and in contra, she has stated that she was in love with the first accused and she only eloped with him.

6. Considering the fact that the first accused was remanded to judicial custody and the statement of the victim and the limited role played by the petitioners 2 to 4 and they are not having any bad antecedents, this Court is inclined to grant anticipatory bail to the petitioners 2 to 4 alone.

7. Accordingly, this Criminal Original Petition is partly allowed and the petitioners 2 to 4 are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate, Additional Mahila Court, Srivilliputhur, on condition that the petitioners 2 to 4 shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and the petitioners 2 to 4 shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioners 2 to 4 shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

ate 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.

sd/-
02/09/2022

/ TRUE COPY /

08/09/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE JUDICIAL MAGISTRATE,
ADDITIONAL MAHILA COURT, SRIVILLIPUTHUR.



- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
- 3 THE INSPECTOR OF POLICE
WATRAP POLICE STATION,
VIRUDHUNAGAR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.S.MAHALINGAM, Advocate (SR-9596[I] dated 05/09/2022)

ORDER
IN
CRL OP(MD) No.15186 of 2022
Date :02/09/2022

pnm
PKP/SVR/SAR-4/08.09.2022/3P/6C