



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/01/2022

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP (MD) . No.17435 of 2021

1. S.Jagadeeshkumar
2. M.Padmavathi
3. S.Sunitha
4. S.Anitha
5. S.Ravi
6. S.Ajitha
7. S.Thadiveeran
8. S.Thangam
9. A.Mariyappan

... Petitioners/Accused
(Rank Not Known)

Vs

State rep.by
The Inspector of Police,
All Women Police Station,
Colachel,
Kanyakumari District.
(Crime No.Not Known/2021)

... Respondent/Complainant

For Petitioners : M/s.Perumal C.T., Advocate.

For Respondent : M/s.M.Vaikkam Karunanithi,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.Not Known of 2021 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 alleged offence punishable under Sections 498(A) of IPC and 3 & 4 of the Dowry Prohibition Act, in Crime No.Not Known of 2021 on the file of the respondent police, seek anticipatory bail.



2.The case of the prosecution is that the marriage was solemnized between the first petitioner and the defacto complainant. After the marriage, the first petitioner never turned up for co-habitation from the day one of the marriage. Due to which, a dispute arose between the first petitioner and the defacto complainant and she left her matrimonial home and the first petitioner at the instigation of the other accused had demanded more dowry from the defacto complainant and also harassed her. Hence, the complaint.

3.The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case and only with a view to harass the petitioners, the defacto complainant lodged a false complaint. He further submitted that the first petitioner is ready to live with the defacto complainant.

4.Since it is a matrimonial dispute, this Court, by order dated 14.12.2021, referred the matter to the Mediation to conduct mediation and file a report. The Mediator has also filed a report stating that there is no possibility of reunion.

5.The learned Government Advocate(Crl.side) submits that petition enquiry is pending and no case has been registered against these petitioners so far.

6.Since no case has been registered against these petitioners and only the petition enquiry is pending, this criminal original petition is dismissed with liberty to the petitioners to file a petition before appropriate forum, if any case is registered against them.

Sd/-
12/01/2022

/ TRUE COPY /

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

TTA

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, Colachel,
Kanyakumari District.
 2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
- +1. CC to M/S.PERUMAL C.T. Advocate SR.No.1642

ORDER
IN
CRL OP(MD) No.17435 of 2021
Date :12/01/2022

SP/JM/SAR IV/02/02/2022/3P/4C