

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26/09/2022

PRESENT

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

CRL OP(MD) . No.17181 of 2022

1. Chitra
2. Premkumar
3. Azhagu Murugan
4. Gandhi

... Petitioners/Accused
No.7 to 10

Vs

State rep.by
The Inspector of Police,
All Women Police Station,
Theni,
Theni District.
(Crime No.48/2022).

... Respondent/Complainant

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

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

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

PRAYER :-

For Anticipatory Bail in Crime No.48 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), 294(b), 323, 494, 506(i) IPC and Section 4 of Dowry Prohibition Act, in Crime No.48 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is the wife of A1 and the marriage between A1 and the defacto complainant was solemnized on 17.09.2015. Out of the wedlock, a female child was born and thereafter, the petitioners and other accused have tortured the defacto complainant by demanding additional dowry and also threatened her with dire consequences. Further, when the first marriage is in force, the petitioners herein have performed the 2nd marriage of A1 and hence, a case has been registered.

3. The learned counsel appearing for the petitioners submitted that the petitioners herein are distant relatives of the A1 and they are innocent persons and they have not committed any offence as alleged by the prosecution and their names have been falsely implicated in this case.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police would submit that A6 is sister's daughter to A1 and A8 is brother-in-law of the defacto complainant. He would further submit that A8 is working in the police Department and hence, he misused his power and threatened her. He further submitted that the petitioners herein have performed the 2nd marriage of A1, when the 1st marriage is in force and hence, he strongly opposed to grant anticipatory bail to the petitioners.

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

Sd/-
26/09/2022

/ TRUE COPY /

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

TRP

TO

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

ORDER
IN
CRL OP(MD) No.17181 of 2022
Date :26/09/2022

SP/GB/SAR I/12/10/2022/3P/3C