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CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17/10/2022

PRESENT

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

CRL OP(MD). No.18374 of 2022

B.Sivaranjani

... Petitioner/7th Accused

Vs

The State Rep.by
The Inspector of Police,
All Women Police Station,
Pattukottai,
Thanjavur District.
(Crime No.23 of 2022)

... Respondent/Complainant

For Petitioner : M/s.Vijayaragavan R,
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.23 of 2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 498(A), 494, 506(i), 147 of I.P.C and Section 4 Dowry Prohibition Act, 1961, seeks anticipatory bail.

2. The defacto complainant and the first accused are husband and wife. The case of the prosecution is that on 01.07.2022 due to matrimonial dispute between the parties, the petitioners and other accused harassed the de-facto complainant by demanding dowry and driven her out of the matrimonial home and also the first accused married to the seventh accused. Hence, the complainant.

<https://www.mca.gov.in/>



3.The learned counsel for the petitioner would submit that first accused is the husband of the defacto complainant and a divorce petition in H.M.O.P.No.97 of 2021 is pending before the Sub Court, Pattukottai. The second marriage of the first accused is imaginary one and the same is false. He would further submit the co-accused were granted anticipatory bail by the learned Principal Sessions Judge, Thanjavur. The petitioner is an innocent person and she did not commit any offence as alleged by the prosecution. Hence, he may be granted anticipatory bail.

4.The learned Government Advocate (Crl.side) appearing for the respondent police would submit that due to continuous harassment, the defacto complainant was driven out from matrimonial home and the first accused married the seventh accused illegally and there is a specific allegation levelled against the petitioner. He would further submit that the investigation is at the initial stage. Hence, he opposed for grant of anticipatory bail to the petitioner.

5.Considering the nature and gravity of the offence and also considering the fact that the investigation is at the initial stage, this Court is not inclined to grant anticipatory bail to the petitioner.

6.Accordingly, this Criminal Original Petition is dismissed.

sd/-

17/10/2022

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/11/2022

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

cp

TO

1. The Inspector of Police,
All Women Police Station, Pattukottai,
Thanjavur District. Crime No.23 of 2022.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER

IN

CRL OP(MD) No.18374 of 2022

Date :17/10/2022