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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 31/10/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGOVAN

CRL OP(MD) . No.18896 of 2022

1.G.Muraleedharan
2.Sarada
3.M.Abith

... Petitioners/Accused
Nos.2 to 4

Vs

State rep. by
The Inspector of Police,
All Women Police Station,
Thiruverumbur,
Trichy District.
(Crime No.4/2022)

... Respondent/Complainant

For Petitioners : Mr.B.Jameel Arasu, Advocate.

For Respondent : Mr.SS.Madhavan
Government Advocate (Crl.Side)

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

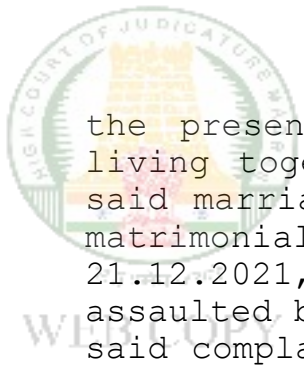
PRAYER :-

For Anticipatory bail in Crime No.4/2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 498(A), 506(1) of IPC and Section 4 of TNPHW Act, in Crime No.4 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution, as per the complaint, that was lodged by the defacto complainant is that there was love affair between herself and A1, but the parents of A1 arranged marriage to A1 with some other girl. When that was enquired, A1 started disconnecting the contact. So, on 02.09.2021, she lodged a complaint against A1 before the All Women Police Station, Cantonment police Station, Trichy. During the above said enquiry, even though the parents of A1 refused to accept her, marriage was performed in



the presence of her parents in a temple. After that, they were living together. A1 started telling that only by force, the above said marriage was performed and by picking up quarrel, he left the matrimonial home. In spite of search, he could not be traced. On 21.12.2021, when she enquired about A1 with her in-laws she was assaulted by them, over which also, a complaint was given. The above said complaint was closed on the basis of some settlement that she has to approach the concerned police Station. So, again the present complaint has been given.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. The petitioners have not committed any offence as alleged by the prosecution. He would further submit that on the earlier occasion, the petitioners have filed a CrI.O.P(MD). No.1471 of 2022 before this Court and the same was dismissed on 01.09.2022, on the ground that the marriage took place not on compulsion or by force.

4. He would further submit that the main dispute between the first accused and the defacto complainant and the petitioners are only the parents and brother of the first accused.

5. Heard both sides.

6.Considering the facts and circumstances of the case and the limited role that has been alleged by these petitioners, this Court is inclined to grant bail to the petitioners, however, with stringent conditions.

7.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or their appearance, before the learned Additional Mahila Court (Magistrate Level), Trichy, and on their executing 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 shall appear before the respondent police on every Saturday at 10.30 am until further orders. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

8.The petitioners shall appear before the concerned Magistrate within a period of fifteen days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

Sd/-

31/10/2022

/ TRUE COPY /

/11/2022

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



1. THE ADDITIONAL MAHILA COURT
(MAGISTRATE LEVEL), TRICHY.

2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.

3. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
THIRUVERUMBUR,
TRICHY DISTRICT.

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

+1. CC to M/S.JAMEEL ARASU B Advocate SR.No.12236

ORDER
IN
CRL OP(MD) No.18896 of 2022
Date :31/10/2022

SP/GB/SAR I/04/11/2022/3P/6C