



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 15.12.2022
PRESENT

WEB COPY

The Hon'ble Mr.Justice G.ILANGO VAN

CRL OP(MD) No.20418 of 2021

1 RAMAMOORTHY
2 DEEPIKA
3 DIVAS KUMAR
4 PUSPA

... PETITIONERS/ACCUSED 2 TO 5

Vs

1 STATE REP.BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
PUDUKKOTTAI, PUDUKKOTTAI DISTRICT.
CRIME NO.31 OF 2021.

... RESPONDENT/COMPLAINANT

2 NIRANJANA
3 KARTHIK KUMAR

... RESPONDENT NOS.2 & 3

(R2 AND R3 SUO MOTU IMPEADED AS PER ORDER
OF THIS HON'BLE COURT DATED 21.12.2021 IN
CRL OP(MD) NO.20418 OF 2021)

For Petitioners : MR.N.SHYALLAPPA KALYAN, Advocate
For Respondent 1: MR.M.VAIKKAM KARUNANITHI,
Government Advocate (Crl. Side)
For Respondent 2: Mr.MUTHUSARAVANAN, Advocate
For Respondent 3: None appearance.

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

PRAYER : FOR ANTICIPATORY BAIL IN CRIME NO.31 OF 2021 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 406, 417, 498(A) and 506(i) IPC in Crime No.31 of 2021 on
the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the marriage between the
de facto complainant and the first accused took place on 01.01.2017
as per the customary rites. She was taken to America by the
accused and she became pregnant and later on brought to Chennai and
she was left there by the first accused and at that time the
petitioners herein told that the first accused is under their



control and thereafter, he started to stop the contact. The child was born. Later, the first accused came to India and started harassing her in order to she share the talk took place between them to his neighbours and the relatives. He has also retained the passport. On 14.10.2020, the defacto complainant's family members arranged compromise talk with the community people, but, the accused did not attend the same. However, they talked over phone and told that they did not permit to take her with the first accused. Later, accused 2 to 6 started harassing her demanding more dowry and jewellery. It also came to her notice that the first accused married one girl and he is living with her for about three years. On the basis of the complaint given by her, compromise was undertaken before the Additional Superintendent of Police, Pudukkottai. As per his advice, separate residence was arranged at Chennai to her. The first accused has left Chennai for USA without informing her. On the basis of the above said complaint, a case has been registered for the above said offences. Now, the accused 2 to 5 are before this Court seeking anticipatory bail.

3. During the pendency of the petition, for the purpose of making out settlement the defacto complainant and the first accused were impleaded as the respondents 2 and 3 and they were before this Court and directed to appear before the Mediation Centre. But, it could not be settled one or other reason.

4. The learned counsel appearing for the de facto complainant would submit that the first accused is ready and willing to retake the de facto complainant to the matrimonial life. But, however, the petitioners who are in-laws are making every trouble and standing in the way of reaching compromise between the husband and wife.

5. The learned counsel appearing for the petitioners submitted that absolutely the petitioners are not involved in the said issue between the defacto complainant and the first accused and because of some psychological issues, the defacto complainant making trouble and she has also not taking proper treatment and because of that issue only the matter was settled between the parties. But, however, counsel for the defacto complainant on hearing this argument submitted that it is very unfortunate, but, the defacto complainant is holding a doctorate degree has been branded as a person affected with mental illness.

6. Now, whatever, the issue between the husband and wife it appears that due to some or other reason it cannot be settled. On an earlier occasion, due to the compromise between the parties they stayed at Chennai, but the allegation by the defacto complainant is that without informing, the main accused went to USA and also filed the petition for divorce before the Subordinate Judge, Alandur. The petitioner has filed the said petition on 02.09.2021 and this present complaint came to be registered on 11.12.2021, which



petition, since the first accused has not appeared before the court. We need not go into the detail about the issue. For disposing of this petition, suffice to look into the allegations made against these petitioners as mentioned above. The allegation against these petitioners is only that they are making trouble and preventing the first accused from resuming the matrimonial life.

7. Considering the limited allegations made against these petitioners and also considering the fact that they are only in-laws, this Court is inclined to grant anticipatory bail to the petitioners.

8. Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the Additional Mahila Court (JM), Pudukkottai on condition that the petitioners 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 on further condition that the petitioners shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

9. The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy is made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-

15/07/2022

/ TRUE COPY /

/07/2022

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

TO

- 1 THE JUDGE,
ADDITIONAL MAHILA COURT (JUDICIAL MAGISTRATE),
PUDUKKOTTAI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
PUDUKKOTTAI DISTRICT.
- 3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
PUDUKKOTTAI, PUDUKKOTTAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to MR.E.SATHEESH, Advocate SR.No.7281.

ORDER IN

CRL OP(MD) No.20418 of 2021

Date :15/07/2022

trp

<https://www.mhjudiciary.org.in/22.07.2022/3P/6C>