



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23/11/2022

WEB COPY

PRESENT

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

CRL OP(MD). No.20722 of 2022

Renold Dickson,

... Petitioner/Sole Accused

Vs

State Rep.by
The Inspector of Police,
Kadaiyalumoodu Police Station,
Kanniyakumari District.
Crime No.41/2022.

... Respondent/Complainant

For Petitioner : M/s.Narayanakumar K P,Advocate.

For Respondent : Mr.M.Muthumanikkam,
Government Advocate (Crl.Side)

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

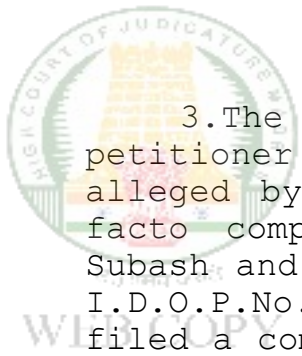
PRAYER :-

For Anticipatory Bail in Cr No.41/2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who apprehends arrest at the hands of the respondent police for the offence under Sections 147, 148, 452, 294(b), 324, 326, 506(ii) and 379 IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Woman Act, 2002, in Crime No.41 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that the de-facto complainant is the wife of the petitioner. Due to matrimonial dispute between the parties, on 20.10.2022, the petitioner along with six others trespassed into her uncle's house, abused her in filthy language, assaulted the de-facto complainant and her cousin brother with iron rod and also snatched her 8 sovereigns of gold chain. Hence, the



3.The learned counsel for the petitioner would submit the petitioner is innocent and he has not committed any offence as alleged by the prosecution. He would further submit that the de-facto complainant developed extra marital relationship with one Subash and deserted the petitioner and filed a divorce petition in I.D.O.P.No.333 of 2022 seeking for the relief of divorce and also filed a complaint under the Domestic Violence Act. He would further submit that the petitioner also filed a petition for restitution of conjugal rights and also filed G.W.O.P.No.141 of 2021 seeking custody of minor son. Due to which, the de-facto complainant lodged a false complaint against the petitioner. Hence, he prays for anticipatory bail.

4.The learned Government Advocate (Crl. side) would submit that there are seven accused involved in this case and the petitioner is arrayed as A1. Due to matrimonial dispute between A1 and the de-facto complainant, all the accused trespassed into her uncle's house, abused her in filthy language, assaulted the de-facto complainant and her cousin brother with iron rod and also snatched her 8 sovereigns of gold chain. The investigation is still pending. If the petitioner is released on anticipatory bail, he would tamper the witnesses and hampering the documents. Hence, he strongly opposed to grant anticipatory bail.

5.Considering the gravity and nature of the offence and also considering the facts that there is a specific overt act attributed against the petitioner and the investigation is not yet completed, this Court is not inclined to grant anticipatory bail.

6.Accordingly, this Criminal Original Petition is dismissed.

sd/-

23/11/2022

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/11/2022

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

TO

- 1 THE INSPECTOR OF POLICE
KADAIYALUMOODU POLICE STATION,
KANNIYAKUMARI DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.20722 of 2022

Date :23/11/2022

sjj

<https://www.mhcb.org.in/> 1/29.11.2022/2P/3C