



WEB COPY

CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 01/12/2022

PRESENT

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

CRL OP(MD). No.21265 of 2022

1. Sankarasubramaniyan,

2. R.Sudha,

... Petitioners/Accused Nos.1 & 2

Vs

The State Rep. by,  
The Sub Inspector of Police,  
Vallioor Police Station, Tirunelveli  
District (Crime No.335 of 2022).

... Respondent/Complainant

V.Rathinavel raja, ... Petitioner/Intervener/Defacto Complainant  
in CRL MP(MD).14976 OF 2022  
IN CRL OP(MD).21265 OF 2022

For Petitioner : M/s.Vasanth Yuges S,  
Advocate.

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

For Intervener : Mr.C.Muthu Saravanan, Advocate

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

PRAYER :-

For Anticipatory Bail in Crime No.335 of 2022 on the file of  
the Respondent Police

ORDER : The Court made the following order :-

The petitioners / accused, who apprehend arrest at the hands  
of the respondent police for the offences punishable under sections  
341, 294(b), 323, 506(2) and 379 IPC in Crime No. 335 of 2022 on the  
file of the respondent police, seeks bail.



2. The case of the prosecution is that both the defacto complainant and A2 are husband and wife and the A1 is the father in law of the defacto complainant. When the defacto complainant went to the house of the petitioners for taking her wife to abroad, due to some dispute, the accused persons have attacked the defacto complainant and caused injuries. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in this case and he seeks anticipatory bail to the petitioners.

4. The learned counsel for the intervenor submitted that the petitioners have taken the passport of the defacto complainant and refused to return the same to the defacto complainant and hence, he is not able to report duty in abroad and his employer terminated him from the job and hence, he seeks dismissal of this petition.

5. The learned Government Advocate (Crl. Side) appearing for the respondent police would submit that both the de facto complainant and A2 are husband and wife and the A1 is the father in law of the de facto complainant. He would further submit that the petitioners have taken the passport of defacto complainant and refused to return the same and also giving torture to him both mentally and cruelly and hence, he strongly opposed to grant anticipatory bail to the petitioners.

6. Considering the facts and circumstances of the case and also considering the fact that the passport of the defacto complainant is not yet returned to him, this Court is not inclined to grant anticipatory bail to the petitioners. Accordingly, this Criminal Original Petition is dismissed.

sd/-  
01/12/2022

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/12/2022  
Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

TRP



CRL OP(MD). N



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TO

1. The Sub Inspector of Police,  
Vallioor Police Station, Tirunelveli District
2. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.

ORDER IN  
CRL OP(MD) No.21265 of 2022  
Date : 01/12/2022

TR/SSS/SAR-I(08.12.2022) 3P 3C