



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 01/12/2022

WEB COPY

PRESENT

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

CRL OP(MD). No.21287 of 2022

D.Arunstalin,

... Petitioner/Accused No.1

Vs

State Rep.by
The Inspector of Police,
All Women Police Station,
Pudukottai District,
Pudukottai.

... Respondent/Complainant

For Petitioner : M/s.Prabhu S, 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.22 of 2022 on the file of the Respondent Police.

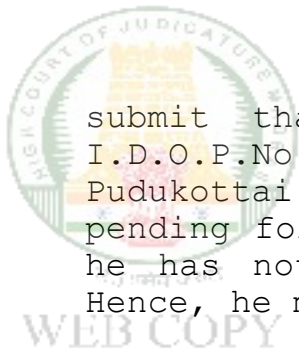
ORDER : The Court made the following order :-

The petitioner/A1, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 494, 498(A) of IPC and Section 4 of TNPWH Act, in Crime No.22 of 2022, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioner and the defacto complainant are husband and wife. Out of wed lock, they are having two children. There was family dispute between the petitioner and the defacto complainant. After marriage, the petitioner and other accused harassed the defacto complainant by demanding dowry and threatened her with dire consequences. Hence, the complaint.

3.The learned counsel for the petitioners would submit that there was no harassment or cruelty as alleged by the prosecution. Only with an intention to harass the petitioner and his family

<https://www.mca21.com/judis> false case has been foisted against him. He would further



submit that the defacto complainant has filed a pet. in I.D.O.P.No.05 of 2021 before the Principal District Court, Pudukottai District, for dissolution of marriage and the same is pending for adjudication. The petitioner is an innocent person and he has not committed 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 the petitioner is the husband of the defacto complainant. It is a matrimonial dispute. Due to continuous harassment of the accused persons, this complaint was lodged by the defacto complainant. She would further submit that there is a serious allegation levelled against the petitioner and the investigation is in preliminary stage and custodial interrogation of the petitioners is very much necessary. Hence, she opposed for grant of anticipatory bail to the petitioners.

5.Considering the gravity and nature of the offences and also considering the serious allegations levelled against the petitioner and the investigation is in preliminary stage, this Court is not inclined to grant anticipatory bail to the petitioner.

6.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.

CP

TO

- 1 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
PUDUKOTTAI DISTRICT,
PUDUKOTTAI
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.21287 of 2022

Date :01/12/2022