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CrI.O.P.No.32431 of 2022

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T.V.THAMILSELVI, J.

The petitioner, who apprehend arrest for the alleged offence under Sections 294(b), 323, 352, 494, 498(A), 406, 506(1) of IPC and Section 4 of Women Harassment IPC in Crime No.14 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the complaint lodged by the wife. Her marriage with A1 took place on 11.07.2019 he was into constructive business and was also running a Travels namely ALS Travels. During the month of October 2019 she conceived and due to the harassment committed on her by the husband and child was aborted. According to the defacto complainant, she was under the continuous threat and the husband had been meeting out various harassments to her and she was driven out of the matrimonial home. Later, on coming to know that husband had married another women by name Muthulakshmi, on 08.11.2022 she went to her matrimonial house and questioned him about the second marriage for which



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he replied that since his second wife came with a good dowry, she had married and threatened to kill the defacto complainant. Hence, the complaint.

3. The learned counsel for the petitioner submitted that this petition has been filed by the husband; this petitioner married the defacto complainant five years back but, the defacto complainant never lived with the petitioner even for a week. He would also in H.M.O.P.No.122 of 2022 is pending before the Family Court, Mannarkudi and that the defacto complainant is prolonging the litigations. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that there are two accused in this case, A1 is the husband of the complainant, A2 is the second wife of A1. On a complaint being lodged by the defacto complainant alleging that dowry harassment and threat to her life. The present complaint is taken on file and is being investigated into. Hence, he vehemently opposed to grant bail to the petitioner.



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5.This Court has a word with the defacto complainant who appeared in person stating that she was put into untold hardship in the hands of the husband, she refused to go before the Mediation Centre.

6. Taking into consideration, a fact that A1 married for the second time though his first marriage is in subsistence, also considering the fact that the defacto complainant had alleged threat to her life not once but more than that, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

09.01.2023

vsn



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