



WEB COPY

CRL OP(MD)



23

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 15/03/2023

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD). No.320 of 2023

Rahamath Fershana

... Petitioner/3rd Party/
Defacto complainant

Vs

1. Mohammed Farook Ali

... 1st Respondent/Petitioner/A 1

2. The State rep.by,
The Inspector of Police,
Dindigul Taluk Police Station,
Dindigul District.
(Crime No.253 of 2022)

... 2nd Respondent/Respondent/
Complainant

For Petitioner : M/s.Sulthan Basha.J,
Advocate.

For R - 1 : Mr.M.Jagadeesh Pandian, Advocate

For R - 2 : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL UNDER THE SECTION OFFICER,.438
of Cr.P.C.

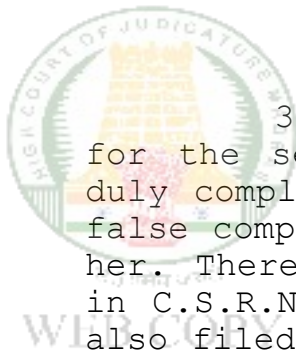
PRAYER :-

To Cancel the anticipatory bail petition was granted in favour
of the first respondent/first accused by the Vacation Sessions
Judge, Dindigul in Crl.M.P.No.54 of 2022 by order dated 11.05.2022.

ORDER : The Court made the following order :-

This petition has been filed to cancel the anticipatory
bail granted to the first respondent in Crl.M.P.No.54 of 2022, dated
11.05.2022 on the file of the Vacation Sessions Judge, Dindigul.

2.The learned counsel appearing for the petitioner
submitted that the first respondent, after complying with the
condition imposed by the court below, again attacked the petitioner.
Therefore, she lodged a complaint, and she was issued C.S.R.No.1076



3.The learned Government Advocate (Criminal Side) is for the second respondent would submit that the first respondent duly complied with the condition as directed by the court below. A false complaint has been lodged by the petitioner as if he attacked her. Therefore, after conducting a detailed enquiry, the complaint in C.S.R.No.1076 of 2022 was closed. In fact, the first respondent also filed a petition for restitution of conjugal rights, and it is pending.

4.It is seen that there is a family dispute between the petitioner and the first respondent. Therefore, this Court finds no ground to cancel the anticipatory bail granted to the first respondent.

5.Accordingly, this Criminal Original Petition is dismissed.

sd/-

15/03/2023

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/03/2023

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

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TO

- 1.THE VACATION SESSIONS JUDGE, DINDIGUL.
- 2.THE INSPECTOR OF POLICE,
DINDIGUL TALUK POLICE STATION,
DINDIGUL DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.320 of 2023

Date :15/03/2023

RK/BUC/SAR-2 (24/03/2023) 2P/4C