



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Wednesday, the Eighth day of February Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice A.D.JAGADISH CHANDIRA

CRL OP(MD) No.2544 of 2023

V.GANESAN

... PETITIONER/ACCUSED NO.RANK NOT KNOWN

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
SAMAYANALLUR,
MADURAI DISTRICT.
CRIME NO. NOT KNOWN OF 2023

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.MUNEESWARAN.B Advocate

For Respondent : M/S.A.ALBERT JAMES,
Govt. Advocate (Crl. Side)

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

PRAYER:

FOR ANTICIPATORY BAIL IN CRIME NO. NOT KNOWN OF 2023 ON THE
FILE OF THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the
respondent police for the alleged offences punishable under Sections
498 A and 406 IPC in Crime No. Not known, seeks anticipatory bail.

2.When the matter is taken up today, the learned Government
Advocate (Crl.side) would submit that earlier one Gowsalya has given
a complaint against the petitioner and enquiry was conducted in CSR
No.801 of 2022 and it was closed on 31.12.2022 since the petitioner
has agreed to take back her to the matrimonial home and it was
closed. Thereafter, the petitioner has refused to take his wife to
the matrimonial home and now a fresh complaint has been given by the
wife of the petitioner on 03.02.2023 and enquiry is pending.

3. In reply, the learned counsel for the petitioner would
submit that there is matrimonial dispute and he is ready to appear
before the respondent police for enquiry.



4. Considering the facts and circumstances, the respondent police is directed to conduct enquiry and if any *prima facie* case is made out against the petitioner, register the F.I.R or close the petition enquiry within a period of two weeks from today. The parties are directed to cooperate with the enquiry. It is needless to say that the respondent police shall not take any coercive steps to secure the accused till the completion of enquiry on the complaint lodged by the defacto complainant.

5. With the above directions, this Criminal Original Petition is disposed of.

sd/-
08/02/2023

/ TRUE COPY /

/02/2023

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

CM

TO

1. THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
SAMAYANALLUR,
MADURAI DISTRICT.

2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.C.M.MARICHELLIAHPRABU, Advocate (SR-1987[I] dated
08/02/2023)

ORDER
IN
CRL OP(MD) No.2544 of 2023
Date :08/02/2023

RK/VR/SAR-1 (17/02/2023) 2P/4C