



CRL OP(MD). No.9077 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

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1. Thiyagarajan,
2. Pavani (Ratharukmani)

... Petitioners/ Accused 2 & 3

Vs

State Rep.by
The Inspector of Police,
Thiruverumbur,
All Women Police Station,
Trichy District.
Crime No.35 of 2022.

... Respondent/Complainant

For Petitioners : M/s.T.Palanisamy, Advocate.

For Respondent : Mr.B.Nambiselvan, Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.35 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ Accused apprehends arrest at the hands of the respondent police for the offences under Sections 498(A), 377, 294(b), 323, 506 of IPC r/w Section



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4 of Women Harassment Act, in Crime No.35 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant's version is that she was married to the first accused namely Kumaran on 13.03.2022. Before marriage and after their betrothal, the first accused insisted the defacto complainant to transfer her Adhaar Card and other documents to the address of Cuddalore but that was not accepted by her. She was also compelled to unnatural physical contact and that was objected by her. She was taken to Bangalore by the first accused even when they stayed in Bangalore, she was harassed and ill treated. Inpite of compromise and advice made by the parents, the accused did not correct himself. He is also addicted to liquor. Compelled her for unnatural physical contact. And also she was compelled to give her salary to him. When that was informed to the parents of the first accused, they supported the first accused. He is also having contact with some other girl. When that was enquired, she was abused and assaulted. Fearing her life, she was taken by her parents to the parental home. The accused are keeping the Sridhana and other articles belonging to the defacto complainant. She gave a complaint on 14.07.2022 before the Superintendent of police, Trichy. That was enquired in C.S.R.No.27 of 2022. In the above said enquiry, the first accused was directed to return the articles and other things. But the first accused did not comply



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the direction. Later that complaint was closed. With this above said allegations, she filed a complaint under Section 156(3) of Cr.P.C., before the trial Court, based upon the order, the case was registered. Seeking anticipatory bail, this petition came to be registered.

3. The learned counsel for the petitioners submitted that the petitioners are innocent, they have been falsely implicated in this case and they have not committed any offence as alleged by the prosecution.

4. Learned Additional Public Prosecutor would submit that the petitioners are the parents of the first accused. Trouble has arisen over a matrimonial issue.

5. Reading of the complaint shows that there was frequent trouble between the husband and wife. Even at one point of time, they lived together in Bangalore and the defacto complainant was attending her work. Serious allegations has been made against the first accused over his conduct. So far these petitioners are concerned, only bald allegations have been made to the effect that when the behaviour of the first accused was brought to the notice of these petitioners, they supported the first accused and demanded additional dowry, jewels, etc. Since only bald allegation has been made against these petitioners, this Court is inclined to grant relief to these petitioners.

6. Accordingly, this Criminal Original Petition is allowed and the petitioners are



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ordered to be released on bail in the event of arrest or on their appearance, before the learned Sessions Judge, Tiruchirapalli, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and the petitioners shall appear before the respondent police daily at 10.30 a.m., until further orders. The petitioners shall comply with the condition stipulated under Section 438 of Cr.P.C., scrupulously.

7. The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy is made ready, failing which, the petition for anticipatory bail will stand dismissed.

sd/-
07/09/2023

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/09/2023

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

PNN

TO

1 THE SESSIONS JUDGE, TIRUCHIRAPALLI.

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.

3 THE INSPECTOR OF POLICE,

THIRUVERUMBUR ALL WOMEN POLICE STATION, TRICHY DISTRICT.

<https://www.mhc.tn.gov.in/judis>



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

ORDER
IN

CRL OP(MD) No.9077 of 2023

Date :07/09/2023

RS/DD/SAR-(21.09.2023) 5P 5C
Madurai Bench of Madras High Court is issuing
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