



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20/01/2023

WEB COPY

PRESENT

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

CRL OP(MD). No.14088 of 2022

Inbaraj... Petitioner / Accused No.2

Vs

The State rep. by,
The Inspector of Police,
All Women Police Station,
Palayamkottai,
Tirunelveli District.
Crime No.22 of 2021. ... Respondent / Complainant

For Petitioner : M/s.Pethu Rajesh P,
Advocate.

For Respondent : Mr.A.Albert James,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.22 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A2, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 498(A), 406, 419, 420, 294(b) and 506(1) IPC, in Crime No.22 of 2021, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution, as per the de-facto complainant Vijilarani, is that on 10.01.2020, the accused Inbaraj had approached her family stating that there is a bridegroom available and that he was working in Thoothukudi Port Trust and thereby, her marriage was performed on 15.07.2020 with the first accused Vincent Raj and during that marriage, the accused Inbaraj and Vincent Raj had introduced the other persons as their family members. At the time of marriage, 40 sovereigns of gold jewels and other household



articles were given as dowry. After marriage, her husband at Raj set up a house at Jeba Ganapuram near Nazareth on 24.01.2021 and thereafter, he had left the home taking away the jewels and did not come back and his phone number was switched off. Later, on enquiry, it was found that the said Vincent Raj had got married five times earlier and he along with the other accused had played fraud on the de-facto complainant and performed a fake marriage and cheated the de-facto complainant and her family members and the petitioner/accused Inbaraj had acted as a broker and cheated them. Hence, the case.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent and due to a matrimonial dispute, a false complaint has been given. He would further submit that the other accused have already been arrested and released on bail and thereby, he would seek for anticipatory bail.

4.The learned Government Advocate (Crl. side) would submit that the petitioner is a habitual offender and he along with the other accused had faked a marriage and had received several amounts from the de-facto complainant's family and thereafter, they have cheated her. He would further submit that as far as this petitioner is concerned, he has got two previous cases of similar nature, which were registered in Crime No.17 of 2014 on the file of the All Women Police Station, Tirunelveli for the offence under Sections 498(A), 406, 494 and 294(b) of IPC and Section 4 of Dowry Prohibition Act and in Crime No.37 of 2015 on the file of the Puthukottai Police Station, Thoothukudi District for the offence under Sections 494, 406, 498(A) and 294(b) IPC of IPC. Hence, he vehemently opposed for grant of anticipatory bail.

5.Heard. Perused the materials available on record including the First Information Report.

6.Taking into consideration the facts and also the bad antecedent of the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner.

7.Accordingly, this Criminal Original Petition is dismissed.

sd/-
20/01/2023

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/02/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



TO

1. The Inspector of Police,
All Women Police Station,
Palayamkottai,
Tirunelveli District.

2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER

IN

CRL OP(MD) No.14088 of 2022

Date :20/01/2023

ED/BUC/SAR-I(02.02.2023) 3P 3C