



CRL OP(MD). No.15418 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.15418 of 2023

and

CrI.M.P(MD) No.13238 of 2023

1.Sharma

2.M.Siva

3.Sarathambal

4.Stalin

5.Sheelarani

... Petitioners/ Accused Rank Not Known

Vs

The State, represented by
The Inspector of Police,
All Women Police Station,
Musiri, Trichy District.

(Crime No.Not Known of 2023).

... Respondent/Complainant

K.Abirami

... Petitioner/Intervener

in CRL MP(MD)No.13238 of 2023

For Petitioners : Mr.R.Murugan,
Advocate.

For Respondent : Mr.S.Manikandan,
Government Advocate (CrI.Side)

For Intervenor : Mr.T.Leninkumar, Advocate



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PETITION FOR ANTICIPATORY BAIL Under Sec.438 of 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 petitioners/ Accused Rank Not Known, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 506(ii) of I.P.C, and Section 4 of Dowry Prohibition Act, in Crime No. Not Known of 2023 on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that the marriage was solemnized between the first petitioner and the defacto complainant in the presence of elders as per their family customary rites on 22.05.2023. Thereafter, difference of opinion arose between them with regard to consummate the marriage. Further, the petitioners are demanded more dowry, thereby harassed the defacto complainant.

3. The learned counsel for the petitioner would submit that the petitioners are innocent. After five days of marriage, the defacto complainant went to job and did



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not return to the matrimonial home, she went to her parental home. The petitioners insisted the defacto complainant to come to matrimonial home, but she did not.

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4. Finding that it is the issue between the husband and wife. So the matter was referred to the Mediation Centre, but no settlement could be arrived. The matter is referred back to the Court now. Now the complaint is pending on the file of the respondent and the allegation made against the petitioner to the effect that they want to transfer one of the hospital of the defacto complainant's parents in the name of first petitioner, over which, the above said offence said to have committed by the accused.

5. The learned counsel for the petitioner would submit that in the earlier complaint that was given by the defacto complainant stated that due to impotency of the first petitioner, the marriage could not be consummated. Now they changing their version that they demanded to transfer the property in the name of first petitioner. In spite of best efforts taken by the Mediation Centre, no agreement could be reached between the parties.

6. In view of the above said development, let the above said enquiry be



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completed within a month from the date of receipt of copy of this order, of course by following proper procedure to be taken in the matrimonial issue. Even though the mediation is failed, it may not be taken into account by the respondent.

7. In view of the above said direction, there shall be an order of interim protection to the petitioners till completion of the enquiry process.

8. With the above said direction, this Criminal Original Petition is disposed of. If any trouble arises during the course of enquiry, the petitioners are at liberty to workout their remedy through appropriate proceedings.

sd/-
19/09/2023

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/11/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

INDU

TO

1 THE INSPECTOR OF POLICE
ALL WOMAN POLICE STATION,
MUSIRI,
TRICHY.



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

+ 1 CC TO Mr.T.Leninkumar, Advocate IN SR No.13859

ORDER
IN
CRL OP(MD) No.15418 of 2023
and
Crl.M.P(MD) No.13238 of 2023
Date :19/09/2023

SS/JGB/SAR- /01/11/2023/5P/4C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023