



CRL OP(MD). No.16606 of 2023

WEB COPY

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

Date : 14/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.16606 of 2023

Rathinammal @ Rathinam

... Petitioner / Accused No.4

Vs

The State, rep by
The Inspector of Police,
All Women Police Station,
Srivilliputhur,
Virudhunagar District.
(Crime No.22 of 2022).

... Respondent/Complainant

For Petitioner : Mr.G.Mariappan, Advocate.
For Respondent : Mr.S.Manikandan,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.22 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused No.4, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 494, 498



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(A), 506(ii) of I.P.C, and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, in Crime No.22 of 2022 on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is the wife of first accused. A male child was born to them. Further, the petitioner is the mother of second accused and the second accused was married to first accused illegally as second marriage on 2017. All other accused colluded with first accused for illegal activities. When the defacto complainant questioned about the illegal activity of first accused, the petitioner and other accused abused her in filthy language, threatened to kill her and her child and also harassed her. Hence, the complaint.

3. This petition has been filed on the ground that except this petitioner, all other co-accused have been released either on regular bail or anticipatory bail. This petitioner moved the application before the learned Principal Sessions Judge, Srivilliputhur in Cr.M.P. No.3062 of 2022, that was considered along with co-accused, considering that it is the matrimonial issue between the husband and wife. But later, this petitioner failed to comply the condition that was imposed upon him and so he moved a application before the learned Principal Sessions Judge, Srivilliputhur, seeking extension of time, that was dismissed on the ground that no proper explanation or reason was assigned by the petitioner for non-compliance of



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the said condition for about 10 months. Subsequently, this petition has been filed for the very same relief.

4. The learned Government Advocate (Crl.Side) would submit that investigation is completed and the Charge Sheet is going to be filed.

5. Since the final report is going to be filed, let the petitioner appear before the concerned Court on 25.09.2023 and execute bond under Section 88 of Cr.P.C., to the satisfaction and as required by the trial Court. On that date, Charge Sheet must be presented by the respondent herein in that Court.

5. With the above said directions, this criminal original petition stands disposed of.

sd/-
14/09/2023

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/09/2023

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

INDU

To

1. The Principal Sessions Judge,
Srivilliputhur.

2. The Additional Mahila Court (Magistrate Level),
Srivilliputhur.



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3.Do through the Chief Judicial Magistrate,
Virudhunagar District at Srivilliputhur.

4.The Inspector of Police,
All Women Police Station,
Srivilliputhur, Virudhunagar District.

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

+1 CC to M/s.G.MARIAPPAN, Advocate (SR-13684[I] dated 14/09/2023)

ORDER
IN
CRL OP(MD) No.16606 of 2023
Date :14/09/2023

ED/DD/SAR- (22/09/2023) 4P / 7C

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