



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

Dated: 21/03/2023

PRESENT

The Hon'ble Mr.Justice **G.ILANGOVAN**

Crl.OP(MD)No.20596 of 2022

C.Ramesh Kanna ...Petitioner/Accused No.1

Vs.

1.The State rep. By  
The Inspector of Police,  
All Women Police Station,  
Devakottai,  
Sivagangai District.  
(In Crime No.05 of 2022) ...Respondent/Complainant

2.Lavanya ...2<sup>nd</sup> Respondent/De-facto Complainant  
(R2 is *suo motu* impleaded as per the  
order of this Court, dated 21/11/2022 in  
CRL OP(MD)NO.20596 OF 2022)

For Petitioner : Mr.S.Pugalendhi,Advocate

For Respondent : Mr.S.MANIKANDAN  
Government Advocate(Criminal side)

For Intervener/R2 : Mr.A.Arputharaj,Advocate

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

PRAYER:-

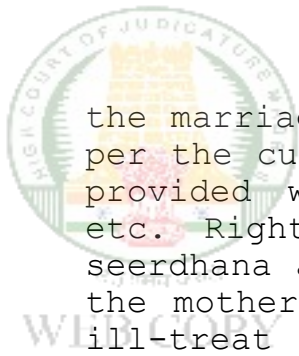
For Anticipatory Bail in Crime No.05 of 2022 on the file of  
the Respondent Police.

**ORDER** : The Court made the following order:-

The petitioner, who is arrayed as A1 apprehending arrest at  
the hands of the respondent police for the offences punishable under  
sections 494, 498(A) and 506(i) IPC r/w Section 4 of Tamil Nadu  
Prohibition of Women Harassment Act, 1998, in Crime No.05 of 2022 on  
the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the de-facto  
complainant is the wife of A1. She lodged a complaint stating that

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



the marriage between herself and A1 was performed, on 15/11/2019 as per the customary religions rites. At the time of marriage, she was provided with sufficient jewels, seerdhana, house-hold articles, etc. Right from the marriage, the above said jewels and other seerdhana articles are in the house of A1. Right from the marriage, the mother-in-law and the sister-in-law used to abuse, torture and ill-treat her stating that there was no sufficient dowry given to her. They have also demanded additional sovereigns and she was also forced to take tablets for aborting the child. on 20/01/2020, she was locked in the house without any food and water and she was also harassed. They also criminally intimidated her. Later, she came to know that A1 had illegal intimacy with one lady namely Kannagi-A6. Because of the above said illegal intimacy, a child was also born on 16/06/2020 and that girl was also brought to the matrimonial home and she was not provided with any maintenance and her child is also not properly cared. With the above said allegation, she lodged a complaint.

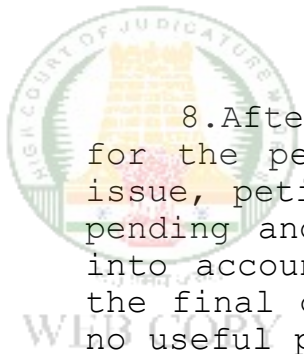
3.Now seeking anticipatory bail, this petition has been filed by the petitioner, who is arrayed as A1.

4.The matter was referred to Mediation and Conciliation Centre attached to this Bench, to explore the possibility of settlement. On that score, it was repeatedly adjourned, but no settlement could be arrived for one or other reasons.

5.Now the learned counsel appearing for the 2<sup>nd</sup> respondent would submit that they will be satisfied, if maintenance amount is ordered to be paid by the petitioner. The petitioner would submit that he is not having any permanent job and he is only rearing cattle and getting meagre income.

6.But however, considering the age of the petitioner, I am of the considered view that he must pay a minimum amount of Rs.5,000/- per month as maintenance to the second respondent.

7.In view of the above situation, this court is inclined to grant anticipatory bail. Accordingly, the petitioner/A1 is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Devakottai, Sivagangai District and on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and the petitioner/A1 shall appear before the respondent police daily at 10.30 am until further orders. The petitioner/A1 shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously. The petitioner/A1 shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed. Shall continue to pay the maintenance starting from this month.



8. After passing of this order, the learned counsel appearing for the petitioner/A1 would submit that regarding the maintenance issue, petition has also been before the trial court and now, it is pending and since, it is pending. This interim order may be taken into account by the concerned trial court at that time of passing the final order. Considering the factual circumstances of the case, no useful purpose is going to be served by subjecting the petitioner to custodial interrogation. Because of the continuous mediation process, I am of the considered view that the anticipatory bail is granted to the petitioner with the above said condition.

sd/-

21/03/2023

/ TRUE COPY /

/03/2023

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

ER  
TO

- 1 THE JUDICIAL MAGISTRATE,  
DEVAKOTTAI, SIVAGANGAI DISTRICT.
- 2 DO THROUGH:  
THE CHIEF JUDICIAL MAGISTRATE ,  
SIVAGANGAI DISTRICT.
- 3 THE INSPECTOR OF POLICE  
ALL WOMEN POLICE STATION, DEVAKOTTAI,  
SIVAGANGAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER  
IN  
CRL OP(MD) No.20596 of 2022  
Date :21/03/2023

PKP/BUC/SAR-2/31.03.2023/ **3P/5C**