



CrI.M.P.No.19152 of 2023
in
CrI.O.P.No.12593 of 2023

A.D.JAGADISH CHANDIRA, J.

Attributing violation of conditions for grant of anticipatory bail and criminal intimidation on the part of the respondents 1 to 3, the present petition has been filed by the de facto complainant to cancel the anticipatory bail granted to them in respect of a case in Crime No.59 of 2023 on the file of the fourth respondent, for offences punishable under Sections 323, 354D(1)(ii), 294(b), 498(A) and 506(ii) IPC.

2. It appears that alleging cruelty and harassment by respondents 1 to 3, the petitioner herein had filed application for divorce in O.P.No.143 of 2023 on the file of the Family Court, Chingleput and simultaneously, lodged a criminal complaint with the fourth respondent herein, which gave rise to the above case.

3. Considering the fact that the entire issue arose from some friction between the present petitioner and the first respondent herein, who locked themselves into a matrimonial relationship on their own



wishes and as an outcome, they have been blessed with a girl child, who is now aged about 7 years and stumbling for her future at the decision of these two litigants, this court referred the matter for mediation to have an ethical end to the issue.

4. However, since no consensus was arrived at between the parties during the mediation and the parties were found to be filled with emotional imbalance, the case was taken up for hearing in the Chambers.

5. Having heard the girl child and the parties individually, this court felt that the child appears to be very fond of her paternal grandparents and the aunt by whom, she had been taken care for all these 7 years with love and affection, though she had expressed some unhappiness towards her father, which may be due to the disharmonious relationship she had to notice between her parents.

6. Of course, the parties have not shown any sign of reunion even for the sake of the little child and they appear to be at loggerheads. After hearing the parties in person individually, this court



finds that the struggle between the parties seems to be nothing but, all sorts of attempts to get a visitation right for the father to meet his child and non-inclination of the mother to accommodate such visitation rights, of course, alleging some bitter experience and exhibiting some footages.

7. In the meanwhile, the first respondent herein has filed an affidavit dated 29.2.2024 tendering apologies for his activities and undertaking that he would not cause any prejudice to the complainant and he would obey the order of the court very strictly in all aspects.

8. When the matter is taken up for hearing today, learned counsel appearing for the petitioner sought to produce some photographs and establish that the first respondent had trolled her vehicle while she was returning to her home on the previous hearing of the case and thereby attempting to intimidate her, however, she submitted that she is not precipitating the matter and she would only seek that the first respondent may be admonished.

9. The dispute between the parties being already adjudged



before the Family Court and the law has been set in motion in a criminal proceedings, this court feels that it may not be appropriate for this court to go into the veracity of such allegations and the developments in the case projected by the parties. If at all aggrieved, it is for the parties to move appropriate forum seeking their remedy.

10. Taking into consideration the above aspects and the affidavit filed by the first respondent tendering apologies and the undertaking given, the present petition stands closed.

5.3.2024.

ssk.



5

A.D.JAGADISH CHANDIRA, J.

Ssk.

Crl.M.P.No.19152 of 2023
in
Crl.O.P.No.12593 of 2023

5.3.2024.