



CRL OP(MD) No.2158 of 2024

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

Thursday, the Twenty Ninth day of February Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.2158 of 2024

GANESAN

... PETITIONER / DEFACTO COMPLAINANT

Vs

1 THE INSPECTOR OF POLICE
THEPPAKULAM POLICE STATION,
MADURAI DISTRICT.
CRIME NO.191 OF 2023.

2 ARUNACHALAM

3 UDHAYAKUMAR

4 INDURANI

... RESPONDENT / COMPLAINANT

Criminal Original Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to cancel the Anticipatory Bail granted by the Honble Principal Sessions Judge, Madurai in Crl.MP.No.3292 of 2023 dated 26.7.2023 to the Respondent No.2 to 5 forthwith.

ORDER : This Criminal Original petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of Mr.K.NAVANEETHARAJA, Advocate for M/S.VEERAPANDI SELVARAJ.S,

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



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Advocate for the petitioner and of MR.P.KOTTAICHAMY, Government Advocate (Crl.Side) on behalf of the 1st Respondent and Mr.C.M.ARUMUGAM, Advocate for the respondents 2 to 4, the Court made the following order:-

This Criminal Original Petition has been filed seeking to cancel the anticipatory bail granted by the learned Principal Sessions Judge, Madurai in Crl.M.P.No.3292 of 2023, dated 26.07.2023 to respondent Nos.2 to 5 forthwith.

2. The case of the prosecution is that the marriage between the petitioner's daughter and the second respondent was solemnized on 13.03.2022. Out of their wedlock, they blessed with a male baby. The third and fourth respondents are in-laws of the petitioner's daughter. Due to matrimonial dispute, the petitioner's daughter committed suicide by hanging and now, she is taking physiotherapy treatment.

3. The learned counsel for the petitioner would submit that the petitioner is the father of the victim girl. Due to matrimonial dispute between the petitioner's daughter and the second respondent, the victim girl committed suicide, for which, FIR came to be registered in Crime No.191 of 2023 for the alleged offence under Sections 498(A) and 109 IPC and Section 4 of TNPWH Act. He would further submit that the accused persons have filed Anticipatory Bail application before the learned

Principal Sessions Judge, Madurai in Crl.M.P.No.3292 of 2023 and the learned

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Principal Sessions Judge had granted anticipatory bail to respondent Nos.2 to 4 on 26.07.2023. He would further submit that due to suicidal attempt, the health condition of the petitioner's daughter became worsen and she was taken to several Hospitals, for which, the petitioner has spent a sum of Rs.20,00,000/- to her daughter's treatment. Without considering the same, the learned Principal Sessions Judge had granted anticipatory bail to respondent Nos.2 to 4. Hence, he prays for cancelling the anticipatory bail.

4. The learned counsel appearing for respondent Nos.2 to 4 would submit that on instructions, the respondent Nos.2 to 4 are ready to deposit a sum of Rs.7,50,000/- in the name of the victim girl without prejudice to their rights.

5. Heard the Learned Government Advocate (Crl.Side) appearing for the first respondent Police.

6. The learned counsel appearing for the petitioner has raised no serious objection for closing this petition.

7. In view of the undertaking given by respondent Nos.2 to 4, the respondent Nos.2 to 4 shall deposit a sum of Rs.5,00,000/- in the name of the victim girl / Sindhu within a period of two weeks from the date of receipt of a copy of this order and after depositing the above said amount, the remaining amount of Rs.2,50,000/- will be deposited within a period of one week thereafter and further, respondent Nos.2 to 4



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are directed to bear the medical expenses of the victim girl in future. The petitioner is directed to spend the above said amount for the treatment of the victim girl. No supervening circumstances were brought to the notice of this court as enumerated by the Apex Court in the case of Daulat Ram - Vs - State of Haryana (1995 (1) SCC 349) and therefore, the prayer as sought for by the petitioner cannot be acceded to.

8. In view of the above discussion, the Criminal Original Petition stands closed.

sd/-
29/02/2024

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/03/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG
TO

- 1 THE PRINCIPAL SESSIONS JUDGE,
MADURAI.
- 2 THE INSPECTOR OF POLICE
THEPPAKULAM POLICE STATION,
MADURAI DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.C.M.ARUMUGAM, Advocate SR.No.8451 (F) DT.29/02/2024



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+1. CC to M/S.VEERAPANDI SELVARAJ S Advocate SR.No.9278 (F)
DT.04/03/2024

ORDER
IN
CRL OP(MD) No.2158 of 2024
Date :29/02/2024

SA/GS/SAR. /05.03.2024/5P/6C

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