



CRL OP(MD). No.7818 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/06/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.7818 of 2024

Anthony Francis @ Gowtham,

... Petitioner/ Accused No.1

Vs

The Inspector of Police
All Women Police Station,
Thiruchendur,
Thoothukudi District.
Crime No.17 of 2024

... Respondent/Complainant

Sahayarani

... Intervenor/Defacto Complainant
in CRL MP(MD)No.6358/2024
in CRL OP(MD)No.7818/2024

For Petitioner : Mr.A. Robinson,
Advocate.

For Respondent : Mr.M.Sakthikumar,
Government Advocate (Crl.Side)

For Intervenor : Mr.M.M.Manivel Pandian, Advocate

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

PRAYER :-

For Anticipatory Bail in Crime No.17 of 2024 on the file of the respondent police.



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ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 498(A), 494, 294(b), 506(ii) and 109 of IPC in Crime No.17 of 2024 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the marriage between the petitioner and the defacto complainant was solemnized on 23.08.2012 and they were blessed with two children. In the said circumstances, the petitioner had developed illegal intimacy with the second accused in the year 2023 and also taken their son Jonah along with him. When the same was questioned by the defacto complainant, the petitioner abused the defacto complainant in filthy language and also threatened her. Hence, the case.

3.The learned counsel appearing for the petitioner submits that the petitioner has not indulged in any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submits that due to difference of opinion between them, the petitioner has been living separately for more than 9 years and



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the steps taken by the elders of the family to reunite them also went in vain. He further submits that the defacto complainant lodged a false complaint as if the petitioner got married with the second accused.

4.The learned Government Advocate (Crl. side) has raised serious objections and submits that the petitioner deserted the defacto complainant and living with A2.

5.The learned counsel for the intervenor has serious objection for granting anticipatory bail to the petitioner.

6.Considering the fact that the defacto complainant is having two children and also considering the fact that the petitioner, after ten years, had developed intimacy with A2 and has also harassed the defacto complainant, this Court is not inclined to grant anticipatory bail to the petitioner.

7.Accordingly, this Criminal Original Petition is dismissed.

sd/-
25/06/2024

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/07/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI



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TO
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- 1 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
THIRUCHENDUR,
THOOTHUKUDI DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.7818 of 2024
Date :25/06/2024

SS/GS/SAR- /03/07/2024/4P/3C

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