



CRL OP(MD). No.7963 of 2024

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

Date : 19/06/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). Nos.7963 & 8025 of 2024

CRL OP(MD). No.7963 of 2024

M.Arun Kumar

... Petitioner/ Accused No.1

Vs

The Inspector of Police,
Pattiveeranpatti Police Station,
Dindigul District.
(Crime No.Not Known of 2024.)

... Respondent/Complainant

For Petitioners : Mr.K.Jeyamohan, Advocate.

For Respondent : Mr.P.Kottaichamy
Government Advocate (Crl.Side)

For Intervenor : Mr.Sathya Chidambaram, Advocate

PRAYER :-For Anticipatory Bail in Crime no.Not known of 2024 on the file of the Respondent Police.

Crl.O.P.(MD)No.8025 of 2024

- 1.C. Murugan
- 2.M. Muthulakshmi
- 3.C. Muniyammal



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4.M. Loganathan

...Petitioners/ Accused No.2 to 4

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(Already P1 to P3 granted anticipatory
bail vide order dated 29.05.2024)

Vs

The Inspector of Police,
Pattiveeranpatti Police Station,
Dindigul District.
(Crime No. Not Known of 2024.)

... Respondent/Complainant

For Petitioners : Mr.N.Kamesh, Advocate.

For Respondent : Mr.P.Kottaichamy
Government Advocate (Crl.Side)

For Intervenor : Mr.Sathya Chidambaram, Advocate

PRAYER :-For Anticipatory Bail in Crime no. Not known of 2024 on the file of the
Respondent Police.

COMMON ORDER : The Court made the following order :-

Crl.OP(MD)No.7963 of 2024 is filed by one Arunkumar seeking
anticipatory bail, apprehending arrest at the hands of the respondent Police, in
connection with a case in Cr.No. Not Known of 2024 for the offence u/s.294(b) IPC
r/w Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act.

2.The prosecution case is that the said Arunkumar had a live-in relationship
with the defacto complainant, due to which, she got pregnant. However,
Arunkumar refused to marry her and the other accused have arranged marriage for



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Arunkumar with some other girl. Therefore, the defacto complainant attempted to commit suicide. Hence, the complaint.

3.Learned Counsel for the petitioner / Arunkumar submitted that Arunkumar was working along with the defacto complainant at Chennai and they had a live-in relationship for one year. However, he is no way connected with the alleged pregnancy projected by the defacto complainant. In fact, the defacto complainant is having relationship with several other persons and on knowing about the conduct of the defacto complainant, Arunkumar deserted her. In order to coerce him to marry her, the defacto complainant has foisted a false complaint.

4.Considering the rival submissions made, this Court, in order to find out a solution between the parties, by order dated 04.06.2024, referred the matter to Mediation and appointed Mr.S.Ramasamy, Advocate having a Bar Standing of 30 years, as a Mediator. The learned Mediator has filed his report that mediation failed.

5.In the meantime, the respondent Police has registered a case as against Arunkumar [A1], Murugan [A2] and Loganathan [A3] in Cr.No.211 of 2024 for the offence u/s.294(b), 406, 506(i) IPC r/w Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, on 27.05.2024. Immediately, on 28.05.2024, CrI.OP(MD) No.8025 of 2024 was filed and moved by Murugan [A2], Muthulakshmi, Muniyammal and Loganathan [A3], seeking anticipatory bail, during the vacation



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sitting.

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6.It appears that a representation has been made on behalf of the respondent Police that Murugan [A2] and Loganathan [A3] alone have been arrayed as accused in Cr.No.211 of 2024 and Muthulakshmi and Muniyammal are not arrayed as accused. It is further represented that Arunkumar [A1] is absconding. There is no reference or representation or mention by the respondent Police as to the application filed by Arunkumar [A1] in Crl.OP(MD)No.7963 of 2024, which is pending before this Court and the orders passed by this Court referring the matter for mediation. Such a conduct on the part of the respondent Police is to be deprecated.

7.Considering the rival submissions made on behalf of the parties, this Court, by order dated 29.05.2024, granted anticipatory bail to Murugan [A2], Muthulakshmi and Muniyammal, in Crl.OP(MD)No.8025 of 2024 and for deciding the case in respect of Loganathan [A3], adjourned the matter.

8.Accordingly, both the applications in Crl.OP(MD)No.7963 of 2024 (petitioner – Arunkumar [A1]) and Crl.OP(MD)No.8025 of 2024 (fourth petitioner – Loganathan [A3]) are listed before this Court for hearing.

9.Learned Counsel for the intervenor / defacto complainant submitted that Arunkumar [A1] has cheated the defacto complainant and Loganathan [A3] has helped him for the abortion.



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10. Learned Counsel for the petitioners has produced certain photographs and submitted that the defacto complainant had intimacy with several other persons. Therefore, Arunkumar (A1) is not inclined to marry the defacto complainant and when it was conveyed to her, the present false complaint has been foisted to coerce him to marry her. He further submitted that Loganathan [A3], on the request of the defacto complainant for the medical expenses for abortion, has sent some money and apart from that, he has no role as alleged.

11. This Court considered the rival submissions made and also perused the materials placed on record.

12. The victim in this case is a 24 years old graduate, working as a Nurse. Admittedly, she had a live-in relationship with Arunkumar [A1] for a period of one year, without any marriage. Arunkumar [A1] has produced certain photographs, which needs to be investigated.

13. Considering the facts and circumstances of the case and also considering the materials, this Court is inclined to grant anticipatory bail to the petitioners.

14. Accordingly, these Criminal Original Petitions are allowed and the petitioners viz., Arun Kumar [A1] and Loganathan [A3] are ordered to be released on bail in the event of arrest or on their appearance within a period of fifteen days from the date of receipt of a copy of this order, before the concerned learned Judicial



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Magistrate, on condition that

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(i) the petitioners execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand), with two sureties each, for a like sum to the satisfaction of the Judicial Magistrate, Nilakottai;

(ii) The petitioners and the sureties shall submit a copy of their Aadhaar Card or any other identity card issued by the Government in proof of their residence address;

(iii) The petitioners shall appear before the respondent police as and when required by the respondent police. They have to co-operate for the investigation.

(iv) The petitioners shall not misuse the liberty granted to them by indulging in any further offence and shall not tamper with the prosecution witnesses.

(v) On violation of any of the above conditions by the petitioners, the respondent police shall move an application for cancellation of the anticipatory bail.

sd/-
19/06/2024

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

LS



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To

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1.The Judicial Magistrate,
Nilakottai.

2.Do through the Chief Judicial Magistrate,
Dindigul District.

3.The Inspector of Police,
Pattiveeranpatti Police Station,
Dindigul District.

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

+1 CC to M/s.K.JEYAMOHAN, Advocate (SR-6759[I] dated 20/06/2024)

ORDER
IN

CRL OP(MD). Nos.7963 & 8025 of 2024

Date :19/06/2024

ED/VR /SAR- (12/07/2024) 7P / 6 C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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