



CRL OP(MD) No.14805 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Monday, the Twenty Second day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.14805 of 2023

SIVARAMAMORRTHY

... PETITIONER / ACCUSED No.1

Vs

1 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
PALAYAMKOTTAI,
TRINELVELI CITY.
(CRIME NO.19 OF 2023)

2 INDIRA PRIYADHARSHINI

... RESPONDENT / COMPLAINANT

(R2 IS SUO-MOTU IMPEADED AS PER ORDER
OF THE COURT DT 14/08/2023 IN CRLOP(MD)
No.14805 of 2023)

For Petitioner : M/S.MANIVELPANDIAN.M.M Advocate

For Respondent No.1 : Mr.P.KOTTAICHAMY, Govt. Advocate (CrI. Side)

For Respondent No.2 : Mr.D.SELVANAYAGAM, Advocate

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

PRAYER:

FOR ANTICIPATORY BAIL IN CRIME NO.19 OF 2023 ON THE FILE OF THE
RESPONDENT POLICE.



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ORDER: The Court Made the following order :-

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The petitioner/A1, who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 498A, 406 and 506(i) of IPC, in Crime No.19 of 2023, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and the defacto complainant are husband and wife and the defacto complainant made a complaint on 04.10.2022 alleging that the petitioner and his family members harassed the defacto complainant by demanding additional dowry. Based on the report filed by the Social Welfare Officer, FIR in Crime No.19 of 2023 has been registered by the respondent police against the petitioner and his family members. Hence, the case.

3.The learned counsel for the petitioner would submit that the petitioner did not commit any offence as alleged by the prosecution and it is purely a matrimonial dispute and hence, he prays for grant of anticipatory bail to the petitioner.

4.Today, the de-facto complainant along with their child are present in person before this Court.

5.The learned counsel for the defacto complainant would submit that the marriage was solemnized between the petitioner and the defacto complainant on 14.05.2017 and they blessed with one female child and subsequently, the petitioner abundantly left the defacto complainant at Tirunelveli Bus stand and demanded



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huge dowry and hence, he vehemently opposed to grant anticipatory bail to the petitioner.

6.The learned Government Advocate (Crl. side) would submit that investigation is pending and hence, he strongly opposed to grant anticipatory bail to the petitioner.

7.It is seen from the records shown that on an earlier occasion, the petitioner appeared before this Court and stated that the wife committed a cruelty act against the petitioner, and thereby, he refused to accept the wife and child.

8.Considering the facts and circumstances of the case and also considering the fact that the petitioner is not ready to take care of his wife and child, this Court is not inclined to grant anticipatory bail to the petitioner.

9.In the result, this Criminal Original Petition is dismissed.

sd/-

22/01/2024

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/01/2024

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

SJI

TO

1 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
PALAYAMKOTTAI, TRINELVELI CITY.



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2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.MANIVELPANDIAN.M.M Advocate SR.No.1787(F) DATED
22/01/2024

+1. CC to M/S.D.SELVANAYAGAM, Advocate SR.No.1920(F) DATED 23/01/2024

ORDER
IN

CRL OP(MD) No.14805 of 2023
Date :22/01/2024

SS/JGB/SAR- /30/01/2024/4P/5C

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