



CRL OP(MD). No.22076 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 13.12.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.22076 of 2024

K.Sivaelankovan

... Petitioner / Sole Accused

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
Narikudi Police Station,
Virudhunagar District.
(Crime No.205 of 2024)

... Respondent / Complainant

For Petitioners: Mr.A.C.Asaithambi,
Advocate

For Respondent : Mr.A.Albert James,
Government Advocate
(Criminal Side)

For Intervenor : Mr.A.R.Kannappan,
Advocate

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS Act.

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



CRL OP(MD). No.22076 of 2024

PRAYER :-
WEB COPY

For Anticipatory Bail in Crime No.205 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 296(b), 115(2), 351(2) of BNS and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, in Crime No. 205 of 2024 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. Through the marriage, there is a son. There was some misunderstanding between the parties and as a result, they are separated. The allegation is that on 24.11.2024, the defacto complainant came to the house of the petitioner to see her son and at that time, there was a wordy quarrel and the defacto complainant is said to have been scolded in filthy language and was also assaulted.

3. Heard the learned counsel on either side and perused the material records of the case.



CRL OP(MD). No.22076 of 2024

WEB COPY

4. In the considered view of this Court, there is a matrimonial dispute between the parties. That apart, there is also a dispute regarding the custody/ guardianship of the son. Considering the same, there shall be a direction to the respondent police to resort to the procedure adumbrated under Section 35 of BNSS and complete the investigation as early as possible.

5. This criminal original petition is disposed of with the above directions.

sd/-
13/12/2024

/ TRUE COPY /

/12/2024

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

pal
TO

1. The Inspector of Police,
Narikudi Police Station, Virudhunagar District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN

CRL OP(MD) No.22076 of 2024
Date :13/12/2024

RK/SKN (27/12/2024) 3P / 3C

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