

In the Court of Vacation Sessions Judge, Kanniyakumari District at Nagercoil.

Present : Thiru B. Karthikeyan, B.L.
Vacation Sessions Judge/Principal Sessions Judge,
Kanniyakumari at Nagercoil.

Thursday, the 16th day of May, 2024.

CrI.M.P. No. 180/2024

(CNR.No.TNKK0V-000235-2024)

1. Jebarson, S/o. Joseph Stalin

2. Joseph Stalin, S/o Pathros

3. Kala, W/o Joseph Stalin

4. Jenisha, W/o Jebasingh

.. Petitioners

/Vs./

Inspector of Police,

All Women Police Station, Marthandam,

Crime No. NIL

Rep. by Public Prosecutor, Nagercoil.

.. Respondent

This petition is filed by Advocate Thiru M. Dhinesh Kumar, u/s 438
Cr.P.C., praying to grant anticipatory bail to the petitioners.

ORDER

Heard both sides. Perused the petition.

The learned counsel for the petitioners submitted that on 09.02.2024, the
petitioners got summons from the respondent police station in
C.No.P2/05/SP/GP/KKI/2024, dated 02.01.2024 that one Monisha gave a complaint

against the petitioners to appear before the respondent police on 10.02.2024 at 4.00 P.M. Further he has submitted that the marriage between the 1st petitioner and one Monisha was solemnized on 09.04.2023 and subsequently due to difference of opinion arose between them, they are living separately from 04.05.2023 to till now. and thereafter they have completed all the transactions between them through consent deed dated 11.03.2024 that they both have not gave any type of complaints and they will get divorce through court of law. But the respondent police often torturing and calling the 1st petitioner through phone and trespassed into the house of the petitioners and the 1st petitioner's working place and asking him to come for enquiry in the respondent police station. The petitioners are innocent and they have not committed any offence as alleged in the petition and the petitioners apprehend that they may be arrested at any time and the petitioners are ready to abide by any condition and prayed for anticipatory bail to the petitioners.

The learned Public Prosecutor opposed the application and submitted that no petition is pending against the petitioner before the All Women Police Station, Marthandam.

Considering the argument of the learned Public Prosecutor that no petition is pending against the petitioner before the respondent police, this court is not inclined to grant anticipatory bail to the petitioner/accused.

In the result, this petition is dismissed.

Pronounced by me in open court this the 16th day of May, 2024.

Vacation Sessions Judge.

