



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

Monday, the Second day of February Two Thousand Fifteen

PRESENT

THE HON`BLE MR JUSTICE P.N.PRAKASH

CRL OP(MD) No.1598 of 2015

AJITH

... PETITIONER/3RD ACCUSED

Vs

THE SUB INSPECTOR OF POLICE
PANAGUDI POLICE STATION,
TIRUNELVELI DISTRICT.
CR. NO.20/2015.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.ANGAPPAN Advocate

For Respondent : MR.A.P.BALASUBRAMANIAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

This is an application for anticipatory bail.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side).

3.The respondent has filed a status report. In paragraph Nos.2 and 3 of the status report, it is stated as follows:

"2.The case of the prosecution is that the defacto complainant Krishnamoorthy lodged a complaint at the Police Station that his wife by name Maheswari, the victim woman herein, aged about 38 years was found missing on 13.01.2015 and the case in Cr.No.20/2015 under Woman Missing was registered and investigated by the respondent Sub-Inspector of Panagudi Police Station. The missing woman Maheswari appeared at the Police Station on 15.01.2015 and gave a statement that she was abducted from her house by 1st accused Sreedharan, son of Essakkiammal and 6 others, beaten by hands, cricket bat and wire for not returning her 10 sovereigns of gold jewels pledged to Maheswari and on her statement, the sections were altered into 147, 148, 452, 365, 343, 294(b), 323, 324, 506(ii) I.P.C and 4 of Tamil Nadu Prohibition of Harassment of Women Act. She was sent to Government Hospital, Asaripallam, Nagercoil for medical treatment. During the course of investigation, on 21.01.2015, the accused 1 & 2 were arrested and on their confession and on the further statement of the victim Maheswari, the facts came to light that A1 Sreedharan, A2 Jagadeesh Sugun and A3 Ajeeth, sons of Essakkiammal, A-4 Vijaya Soundar, S/o. Perumal abducted her from Kavalkinaru to Nakkneri where they lodged her in a lonely house, beat her with hands, cricket bat and wire with intention to retrieve the gold jewel pledged by Essakkiammal and they left there, as they could not succeed in their attempt. Accordingly, the sections were altered into Sections 452, 365, 343, 294(b), 323, 324, 506(ii) I.P.C and 4 of Tamil Nadu Prohibition of Harassment of Women Act and the case was investigated.



3.I submit that on 13.01.2015, the defacto complainant gave a complaint that his wife Maheswari was found missing and on the basis of the complaint, the F.I.R was registered under Woman Missing. The investigation throws light that the petitioner along with his brothers A1 and A2 and with A4 Vijayasoundar S/o Perumal abducted the victim from her house, beat her with hands, cricket bat and wife and the involvement of A3 is categorically spoken by the victim beyond any doubt only for the reason that the victim denied to return back the pledged gold jewel to Essakkiammal, the mother of the petitioner."

4.In view of the serious allegations against the petitioner, it is not a fit case for grant of anticipatory bail. Hence, this anticipatory bail petition is dismissed.

sd/-
02/02/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE SUB INSPECTOR OF POLICE
PANAGUDI POLICE STATION, TIRUNELVELI DISTRICT.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

SR : 05.02.2015 : 2P/3C

ORDER
IN
CRL OP(MD) No.1598 of 2015
Date :02/02/2015