



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

Tuesday, the Twenty Fourth day of February Two Thousand Fifteen

PRESENT

WEB COPY

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.2817 of 2015

M.MAHENDRAN

... PETITIONER/ACCUSED(SINGLE)

Vs

STATE REP BY THE INSPECTOR OF POLICE
VANGAL POLICE STATION, KARUR DISTRICT.
CR. NO.8 OF 2015.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.R. ANAND Advocate

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

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

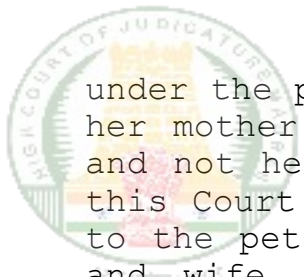
ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for an alleged offence punishable u/s 307 IPC in Cr.No.8 of 2015, seeks anticipatory bail.

2. Heard Mr.R.Anand, learned counsel for the petitioner and Mr.A.P.Balasubramanian, learned Govt.Advocate [crl.side] appearing for the State.

3. This is the second anticipatory bail application and the first anticipatory bail application was dismissed by this Court in Crl.O.P.(MD)No.253 of 2015 on 22.01.2015. It is the case of the prosecution that this petitioner got married to Jayanthi on 12.06.2014 and was living with her. The petitioner and Jayanthi were in love and they eloped and got married. According to the petitioner, Jayanthi was forcibly taken away by her grandparents from his company, on account of which the petitioner has lodged a complaint. During the enquiry in the complaint, Jayanthi expressed her willingness to go with her parental family and left the company of the petitioner. It is alleged that on 05.01.2015, this petitioner went to the house of Jayanthi's grandfather and called Jayanthi out. When Jayanthi came out, this petitioner took out a knife which he was hiding and started attacking her indiscriminately.

4. The learned counsel for the petitioner submits that in the earlier anticipatory bail application, this Court had proceeded



under the premise that in the attack by the petitioner, Jayanthi and her mother were injured, but in reality Jayanthi alone was injured and not her mother. Therefore, the learned counsel submitted that this Court could show some indulgence by granting anticipatory bail to the petitioner, since it is after all a dispute between husband and wife. Under ordinary circumstances, this Court would have granted the relief of anticipatory bail when a dispute is essentially between husband and wife. The learned Government Advocate [crl.side] produced the Accident Register relating to Jayanthi which shows the following injuries:

- "1. Lacerated cut injury over (lt) wrist joint exposing muscle, tendons, nerves, vessels bones
2. Fracture both bone (lt) forearm
3. Lacerated cut injury over (Rt) fingers 3 x 2 x 1 cm, 2 x 1 x 1 cm, 2 x 1 x 1 cm
4. Lacerated cut injury over (lt) leg 10 x 2 x 1 cm, 3 x 1 x 1 cm, 2 x 1 x 1 cm
5. Fracture (lt) lateral malleolus"

The first injury has gone so deep that it has cut muscles, tendons, nerves and vessels and bones. There are two fractures which Jayanthi has suffered, which shows that there was an attack on her head and she has warded off the attack by resisting with her hand and hence, such serious injuries have been sustained by her. The attack appears to be a brutal attack on a defenceless lady. Hence, this is not a fit case to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition stands dismissed.

sd/-

24/02/2015

/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE
VANGAL POLICE STATION, KARUR DISTRICT.
- 2 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.2817 of 2015

Date :24/02/2015

AA/27.02.2015/2p- 3c/