



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

Wednesday, the Twenty Seventh day of July Two Thousand Sixteen

WEB COPY

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP (MD) No.12895 of 2016

M.ARUMUGAM

... PETITIONER/ 2nd ACCUSED

Vs

THE STATE THROUGH
THE INSPECTOR OF POLICE
RAJAPALAYAM NORTH POLICE STATION,
RAJAPALAYAM, VIRUDHUNAGAR DISTRICT.
CR.No.396/2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S C.DEEPAK Advocate

For Respondent : Mr.P.KANNITHEVAN, Government Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as Accused No.2, apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323, 355 and 506(i) IPC, in Crime No.396 of 2016, on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that the de facto complainant is doing cloth business door to door. Ten months prior to the occurrence, the petitioner and A.1 purchased cloths from the de facto complainant for a sum of Rs.3,000/- each agreeing to pay in instalments and inspite of repeated demands, they did not pay the same for a long time. On 17.06.2016 at about 08.00 p.m., in front of the house of A.1, when the de facto complainant demanded to pay the said money, the petitioner and A.1 abused her in filthy language and attacked her with chappels and they threatened her with dire consequences by showing bricks. Due to that the de facto complainant has taken sleeping pills and admitted in hospital. On complaint case has been registered for the above said offences.

3.The case of the petitioner is that she is an innocent and she has not committed any offence as alleged by the prosecution. The petitioner and A.1 are brother and sister. Before ten months, both of them purchased cloths from the de facto complainant and they paid



the same in instalments. A false case has been foisted against the petitioner.

4.The learned Government Advocate (Criminal side) submitted that the the petitioner and A.1 abused the de facto complainant in filthy language and attacked her with chappels and they threatened her with dire consequences by showing bricks. Due to that the de facto complainant has taken sleeping pills and admitted in hospital. Investigation is pending. If the petitioner is released on anticipatory bail, she will tamper the evidence and hamper the investigation.

5.Considering the facts and circumstances of the case and also considering the serious nature of allegations levelled against the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner and accordingly this petition is dismissed.

sd/-
27/07/2016

/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE
RAJAPALAYAM NORTH POLICE STATION,
RAJAPALAYAM, VIRUDHUNAGAR DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S C.DEEPAK Advocate SR.No.40614

ORDER
IN
CRL OP(MD) No.12895 of 2016
Date :27/07/2016

SH/ARK-PV/SAR-I:01.08.2016:2P/4C