



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

Thursday, the First day of March Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP(MD) No.3241 of 2018

1 KANNAN
2 MEENATCHI

... PETITIONERS/ACCUSED 1 & 2

Vs

STATE REPRESENTED BY
THE SUB INSPECTOR OF POLICE
KALAIYARKOVIL POLICE STATION,
SIVAGANGAI DISTRICT
(CRIME NO.54 OF 2018)

... RESPONDENT/COMPLAINANT

For Petitioners : M/S.S.MUTHUKUMAR Advocate

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

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

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused No.1 and 2, apprehends arrest at the hands of the respondent Police for the offence punishable under Sections 294(b), 323, 506(i) and 379 of I.P.C., and Section 4 of Tamilnadu Prohibition of Harassment of Women Act, 2002, registered in Crime No.54 of 2018, seeks anticipatory bail.

2.The case of the prosecution is that due to the nonpayment of Village Tax, the petitioners herein assaulted the defacto complainant and her father-in-law and abused him in filthy language and criminally intimidated him. Hence, the defacto complainant lodged a complaint before the respondent police.

3.The learned counsel appearing for the petitioners submitted that the petitioners have been falsely implicated in this case, they have not committed any offence as alleged by the prosecution and they are in no way connected with the offences, hence he pleads for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl. Side) appearing for the respondent Police submitted that the property which was missed in this case was not yet recovered.



5. The submissions made by the counsel appearing on either side are considered. It is alleged that during the time of occurrence, due to the non payment of Village tax, the petitioners herein assaulted the defacto complainant and his father-in-law and abused him in filthy language. Further he criminally intimidated. As per the case of the prosecution the property which was missed during the time of occurrence was not yet recovered. No doubt, without recovering the said property investigation in this case cannot be completed. Hence, for made recovery custodial interrogation of the petitioners is necessary. Accordingly, considering the facts and circumstances of the case, this Court is not inclined to granted anticipatory bail. Hence, this Criminal Original Petition is dismissed.

sd/-

01/03/2018

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

TO

- 1 THE SUB INSPECTOR OF POLICE
KALAIYARKOVIL POLICE STATION,
SIVAGANGAI DISTRICT
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

ORDER

IN

CRL OP(MD) No.3241 of 2018

Date :01/03/2018

SMA/CSL/SAR-3/07.03.2018:2P/3C