



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

Tuesday, the Sixth day of March Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP (MD) No.3434 of 2018

1 VELAMMAL,
2 ALAGAPPAN,

... PETITIONERS/ ACCUSED 1&2

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
DEVAKOTTAI TOWN POLICE STATION,
SIVAGANGAI DISTRICT,
CR.NO.508 OF 2017.

... RESPONDENT / COMPLAINANT

For Petitioners : M/S.S.MUTHUKUMAR Advocate

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

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

ORDER : The Court Made the following order :-

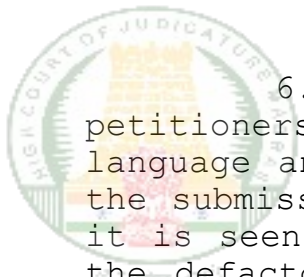
The petitioners, who are arrayed as accused nos.1 and 2 apprehending arrest at the hands of the respondent police for the offences punishable under Sections 294(b) and 506(i) of IPC, in Crime No.508 of 2017, seek anticipatory bail.

2.The case of the prosecution is that due to the money dispute, the petitioners herein are said to have abused the defacto complainant in filthy language and also criminally intimidated him. Thus, on complaint, a case has been registered against the petitioners.

3.The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they did not commit any offence as alleged by the prosecution and their names have been falsely implicated in this case.

4.The learned Government Advocate (Criminal Side) would submit that the investigation of the case is pending.

5.The submissions made by the learned counsel appearing on either side are considered.



6. It is alleged, during the time of occurrence, the petitioners herein have abused the defacto complainant in filthy language and also made life threat to him. Now, on going through the submission made by the learned Government Advocate (Crl. Side), it is seen that, as per the agreement made between petitioners and the defacto complainant, the petitioners constructed the house and handed over the same to the petitioners in a good condition, for which, the defacto complainant asked the petitioners to pay the balance amount. Instead of paying the balance amount, the petitioners abused the defacto complainant in filthy language and committed the above said offence. According to the prosecution, the petitioners have not only committed the offence under Sections 294(b) and 506(i) of IPC, but also cheated the defacto complainant. For completing the investigation in this case, extensive enquiry is required. Hence, this Court is not inclined to grant anticipatory bail to the petitioners.

7. Accordingly, this Criminal Original Petition is dismissed.

sd/-
06/03/2018

/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE,
DEVAKOTTAI TOWN POLICE STATION, SIVAGANGAI DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

trp
GJM/CSL/RR/SAR-4-14.3.18-2P-3C

ORDER
IN
CRL OP(MD) No.3434 of 2018
Date :06/03/2018