

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Eleventh day of February Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.3009 of 2019

SRIDHAR

[PETITIONER / ACCUSED]

Vs

THE STATE RPE BY ITS, [RESPONDENT]
THE INSPECTOR OF POLICE,
CHEYYUR POLICE STATION,
KANCHEEPURAM DISTRICT
CR.NO.244 OF 2018.

For Petitioner : M/S.C.DEIVASIGAMANI Advocate

For Respondent : MR.M.MOHAMED RIYAZ, ADDITIONAL PUBLIC PROSECUTOR

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 the alleged offences punishable under Sections 294(b), 506 (ii) IPC r/w Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act 1998 in Crime No.244 of 2018, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and the de facto complainant are relatives. Due to family dispute, the petitioner came to the de facto complainant's house and illegally harassed the de facto complainant and her sister. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. Therefore, he prays for grant of anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that the accused is an Astrologer. The petitioner has promised to cure the de facto complainant's mother-in-laws health problem. Thereafter, the petitioner entered into the de facto complainant's house and took the de facto complainant and her sister-in-law in a separate room and threatened to remove their dresses and gave sexual torture. She would also submit that this is 4th application for anticipatory bail. The earlier application filed by the same

petitioner was dismissed and there is no charge in circumstances. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Taking into consideration the nature of allegation and the submission made by the learned Additional Public Prosecutor that the petitioner threatened the de facto complainant and her sister-in-law, to remove their dresses and gave sexual harassment, and also taking note of the fact that there is no change of circumstances, this Court is not inclined to grant anticipatory bail to the petitioner. Further, the respondent police is directed to arrest the petitioner and report before this Court.

6. Accordingly, this Criminal Original Petition is dismissed with above direction.

-sd/-
11/02/2019

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE INSPECTOR OF POLICE,
CHEYYUR POLICE STATION,
KANCHEEPURAM DISTRICT

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.C.DEIVASIGAMANI Advocate on payment of necessary charges

CRL OP.3009/2019

Date :11/02/2019

MK:22/02/2019

WEB COPY