



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

Wednesday, the Twenty Seventh day of March Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.4505 of 2019

M.THIRUNAVUKARASU

... PETITIONER / ACCUSED NO.1

Vs

STATE REPRESENTED BY
SUB INSPECTOR OF POLICE,
CUMBUM NORTH POLICE STATION,
CUMBUM, THENI DISTRICT.
(IN CRIME NO. 111 OF 2019)

... RESPONDENT / COMPLAINANT

For Petitioner : MR. SUNDARAPANDIAN Advocate

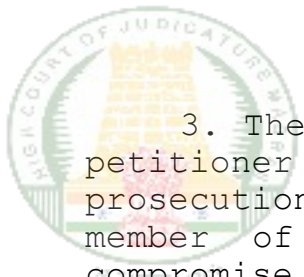
For Respondent : Mr. A.ROBINSON, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner who apprehends arrest at the hands of the respondent police for the alleged offence under Section 4 of Tamil Nadu Prevention of Women Harassment Act (TNPWH) Act 2002 and Section 15 (1) and 12 of Press and Registration of Book Act, 1867, in Cr.No.111 of 2019 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant's husband is the employee of Maya Hotel, Kambam, New Bus stand. On 15.03.2019, the defacto complainant's husband has taken a leave without informing the owner of the hotel. Thereafter, the hotel owner's son one Selva @ Selva Kumar came to the defacto complainant's house and abused her. Thereafter, the case came before the elders of the village, there was a compromise between the hotel owner and the defacto complainant. In such circumstances, the petitioner along with other accused person went to the defacto complainant's house and asked the defacto complainant how she entered into compromise with the Maya hotel owner without their presence and abused the filthy language against her. Thereafter, they have pasted the poster all over the city, abusing the defacto complainant's family. Therefore, the defacto complainant lodged a complaint before the respondent police.



3. The learned counsel for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution. He would further submit that the petitioner is the member of 'Penkal Viduthalai Kalagam'. Since there was a compromise between the defacto complainant and the Maya hotel owner, he prayed for anticipatory bail to the petitioner.

4. The learned Government Advocate (crl.Side) appearing for the respondent would submit that the petitioner and the other accused person have also demanded a money from the Maya hotel owner. Due to this reason, he intentionally pasted a poster against the defacto complainant and the Maya hotel owner. Hence, he vehemently opposed for grant of anticipatory bail.

5. Considering the facts and circumstances of the case and also considering the fact that the petitioner is not a affected party. The affected party already entered into compromise with Maya hotel owner. There is no dispute between them. This is clearly to prove, the petitioner intentionally pasted a poster against the defacto complainant and Maya hotel owner. Hence, this anticipatory bail petition stands dismissed.

sd/-

27/03/2019

/ TRUE COPY /

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

TO

- 1 SUB INSPECTOR OF POLICE,
CUMBUM NORTH POLICE STATION,
CUMBUM, THENI DISTRICT.
- 2 ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

PS/JC/SAR-3/04.04.2019/2P/3C

ORDER

IN

CRL OP(MD) No.4505 of 2019

Date : 27/03/2019