



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

Monday, the Twenty Ninth day of April Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.5845 of 2019

1 SELVAM,
2 KALEESWARI
3 VIGNESH,
4 BALAJI,

... PETITIONERS / ACCUSED NO.1 TO 4

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
UCHIPULI POLICE STATION,
RAMANATHAPURAM DISTRICT .
(CRIME.NO.130/2019)

... RESPONDENT / COMPLAINANT

For Petitioners : Mr.M.S.JEYAKARTHIK Advocate

For Respondent : Mr.K.SUYAMBULINGA BHARATHI, Govt. Advocate
(Crl. Side)

For Intervener : Mr.A.R.KANNAPPAN, Advocate

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

ORDER : The Court Made the following order :-

The petitioners/A1 to A4, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 448, 324 and 506(ii) I.P.C., in Crime No.130 of 2019, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the second petitioner, who is the wife of the first petitioner, is running a private Chit, in which, the wife of the de-facto complainant has subscribed chit amount and thereafter, when the said amount was demanded by the de-facto complainant and his wife, the petitioners joined together, abused him in filthy language and also attacked him and therefore, the case was registered against the petitioners.

3.The learned counsel appearing for the petitioners submitted that there was no chit transaction between the second petitioner and the de-facto complainant as alleged by the de-facto complainant. He further submitted that due to family dispute between the petitioners and the de-facto complainant, earlier, a complaint was given against



the de-facto complainant. In order to wreak vengeance, the de-facto complainant has filed the present complaint against the petitioners and therefore, he prayed for anticipatory bail to the petitioners.

4.The learned counsel for the intervenor submitted that there was a chit transaction in between the second petitioner and the de-facto complainant's wife and without knowledge of the de-facto complainant, his wife subscribed chit amount and when the same was questioned by the de-facto complainant, the petitioners entered into the de-facto complainant's house and attacked him, thereby, the de-facto complainant sustained grievous injuries and after taking treatment, he was discharged from the hospital.

5.The learned Government Advocate (Criminal side) submitted that the second petitioner refused to pay the chit amount to the de-facto complainant's wife and when the same was questioned by the de-facto complainant, the petitioners attacked the de-facto complainant and therefore, he sustained grievous injuries and after taking treatment, he was discharged from the Hospital and therefore, he prayed for dismissal of the criminal original petition.

6.Considering the facts and circumstances of the case and also considering the fact that there was a chit transaction between the second petitioner and the de-facto complainant's wife and when the same was questioned by the de-facto complainant, the petitioners attacked the de-facto complainant, this Court is not inclined to grant anticipatory bail to the petitioners. Accordingly, this Criminal Original Petition is dismissed.

sd/-
29/04/2019

/ TRUE COPY /

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

TO

1 THE INSPECTOR OF POLICE,
UCHIPULI POLICE STATION, RAMANATHAPURAM DISTRICT.

2 ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,MADURAI.

+1. CC to Mr.M.S.JEYAKARTHIK Advocate SR.No.7820
PS/JC/SAR-3/02.05.2019/2P/4C

ORDER
IN
CRL OP(MD) No.5845 of 2019
Date :29/04/2019