



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

Tuesday, the Twelfth day of February Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP (MD) No.20491 of 2018

ALBERT

... PETITIONER / SOLE ACCUSED

Vs

THE INSPECTOR OF POLICE
PALAYAMKOTTAI POLICE STATION,
TIRUNELVELI DISTRICT.
(CRIME IN CR NO. 737 OF 2018)

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.A.SIVASUBRAMANIAN Advocate

For Respondent : Mr.K.SUYAMBULINGA BHARATHI 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 offences under Section 294(b), 307, 506(2) and 379 of IPC, in Cr.No.737 of 2018 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is an Advocate Clerk. He used to consume alcohol with his neighbour defacto complainant. On the particular day, when the defacto complainant went to the barber shop, the petitioner way laid the defacto complainant and demanded money for consuming alcohol. Since the defacto complainant refused to give money, the petitioner assaulted him with aruval, thereby he sustained grievous injury. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he did not commit any offence as alleged by the prosecution. In fact the defacto complainant and the petitioner are close friends and they used to consume alcohol. By taking the simple quarrel in between them, the Inspector of Police registered the case without any complaint and forced the defacto complainant to lodge a complaint against the petitioner. Hence, he made a complaint against the Inspector of Police to the Commissioner of Police dated 19.07.2018 alleged that



the Inspector of police abused the petitioner by calling him in caste name. However, no action was taken on his petition. Accordingly, he prayed for anticipatory bail.

4. The learned Additional Public Prosecutor appearing for the State would submit that taking advantage of his possession as an Advocate Clerk, the petitioner creates Law and order problem in the city and filed false complaint against the Inspector of Police. Only based on the complaint given by the defacto complainant, the Inspector of Police registered the present case and vehemently opposed to the grant of anticipatory bail to the petitioner.

5. Therefore, considering the allegations levelled against the petitioner who is an Advocate Clerk, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal original petition stands dismissed.

sd/-
12/02/2019

/ TRUE COPY /

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

TO

1 THE INSPECTOR OF POLICE
PALAYAMKOTTAI POLICE STATION, TIRUNELVELI DISTRICT.

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

+1. CC to Mr.A.SIVA.AYYAPPAN Advocate SR.No.3005

PS/JC/SAR-1/18.02.2019/2P/4C

ORDER
IN
CRL OP(MD) No.20491 of 2018
Date :12/02/2019