



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 30/07/2019

WEB COPY

PRESENT
The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD) . No.10497 of 2019

Neethiraj

... Petitioner/Accused

Vs

State rep.by.

The Inspector of Police,
Lalapet Police Station,
Krishnarayapuram Taluk,
Karur District.

in Cr. No. 159 / 2019.

... Respondent/Complainant

For Petitioner : M/s.M.Saravanan,
Advocate.

For Respondent : V.Neelakandan,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No. 159 of 2019 on the file of
the Respondent Police.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the
respondent police for the offences punishable under Section 354A,
506(i) IPC and Section 4 of Tamil Nadu Protection of Women from
Harassment Act, seeks anticipatory bail.

2. Heard both sides.

3.The learned counsel appearing for the petitioner has
submitted that the petitioner has not committed any offence and he
has been falsely implicated. He has further submitted that on
23.06.2019 at about 07.00 p.m., the defacto complainant came to the
house of the petitioner along with some other persons and ransacked
the said house, with regard to the said occurrence, the petitioner's
wife has lodged a complaint on 24.06.2019 at about 10.00 a.m., and
only thereafter, the defacto complainant has lodged the present
complaint against the petitioner herein with false allegation and
therefore, he prayed for grant of anticipatory bail to the
petitioner.

3.Per Contra, the learned Additional Public Prosecutor has
submitted that the present FIR has been registered based on the



complaint given by the defacto complainant alleging that on 22.06.2019 at about 11.00 p.m., when the defacto complainant in her house, the petitioner trespassed into the house of the her and misbehaved with her. With regard to the said incident, the defacto complainant lodged a complaint on 23.06.2019 at about 08.00 p.m. He has further submitted that only thereafter, the petitioner's wife lodged a complaint on 24.06.2019 at about 10.00 a.m., and therefore, he strongly oppose this petition.

4. In the FIR, it is stated that on 22.06.2019, at about 11.00 p.m., when the defacto complainant in her house, the petitioner trespassed into the house and sexually misbehaved with her, with regard to the said occurrence, the defacto complainant lodged a complaint on 23.06.2019 at about 08.00 a.m. But the document produced by the learned counsel appearing for the petitioner shows that only on 24.06.2019 at 10.00 a.m., the wife of the petitioner has lodged a complaint against the defacto complainant and others alleging that there was some wordy quarrel took place. Therefore, the contention of the learned counsel appearing for the petitioner that, only after lodging said complaint by the petitioner's wife, the defacto complainant has lodged false complaint against the petitioner, cannot be accepted.

5. Taking into consideration of the allegation made against the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

sd/-
30/07/2019

/ TRUE COPY /

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

TO

1. THE INSPECTOR OF POLICE
LALAPET POLICE STATION,
KRISHNARAYAPURAM TALUK,
KARUR DISTRICT.

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

+1. CC to M/S.M.SARAVANAN Advocate SR.No.12726

ORDER IN
CRL OP(MD) No.10497 of 2019
Date : 30/07/2019