

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.09.2020

CORAM:

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDRA

Crl.O.P.No.13682 of 2020

R.Murugan

...Petitioner

-Vs-

State Rep.by the Inspector of Police,
Tiruppur North Police Station,
Tiruppur City,
(Crime No.361 of 2020)

...Respondent

Prayer: Criminal Original Petition filed under Section 438 of Code of Criminal Procedure praying to enlarge the petitioner on bail in the event of his arrest in Crime No.361 of 2020 pending on the file of the Respondent Police.

For Petitioner : Mr.Thirumurugan

For Respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

(The case has been heard through video conference)

The petitioner who apprehends arrest at the hands of the respondent for the offence punishable under Sections 294(b), 323 and 506(ii) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 in Crime No.361 of 2020 seeks anticipatory bail.

2. This is the third application for anticipatory bail. This Court had taken into consideration the nature of injuries suffered by the defacto complainant at the hands of the petitioner dismissed the first petition on 16.03.2020 in Crl.O.P.No.5145 of 2020 and the second petition was dismissed on 14.07.2020 in Crl.O.P.No.10498 of 2020.

3. When the matter came up before this Court on 18.09.2020, the learned Counsel for the petitioner submitted that there is a likelihood of settlement between the parties and that the victim will be present before this Court on the next hearing date. Thereby this Court adjourned the matter to 28.09.2020.

4. Today i.e. 28.09.2020, when the matter was taken up for hearing, Mr. Prakasam, representing the Intervenor would submit that there was no settlement talks by the petitioner and till date the petitioner has been threatening the defacto complainant. Hence, he vehemently opposed for grant of anticipatory bail.

5. The learned Additional Public Prosecutor would submit that there is no settlement between the parties. Hence, he vehemently opposed for grant of anticipatory bail.

6. Despite the undertaking given by the learned Counsel for the petitioner to make the defacto complainant appear before this Court. the defacto complainant is not present before this Court. This Court is able to see that there has been no settlement between the parties and that the petitioner has given a wrong statement before this Court to obtain anticipatory bail someway or the other. Further, the learned counsel for the intervener submitted that there is no settlement.

7. In view of the above, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

28/09/2020

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 PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

2 THE INSPECTOR OF POLICE,
TIRUPPUR NORTH POLICE STATION,
TIRUPPUR CITY.

CC to M/S THIRUMURUGAN Advocate on payment of necessary charges

CC to M/S R.PRABAKAR Advocate on payment of necessary charges
SR.6521

CRL OP.13682/2020

Date :28/09/2020

RVR 06/10/2020