



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

Date : 29/09/2020

PRESENT

WEB COPY

The Hon`ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD) . No.9847 of 2020

1. Prabhakar
2. P.Maheshwari
3. Prabhu @ Ramaprabhu ... Petitioners/Accused Nos.1 to 3

Vs

State rep.by
The Inspector of Police,
Eral Police Station,
Thoothukudi District.
Crime No. 421 of 2020. ... Respondent/Complainant

For Petitioners : M/s.S.Mandhiralingeswaran,
Advocate.

For Respondent : Ms.S.E.Veronica Vincent,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Cr.No.421 of 2020 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/ A1 to A3, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 448, 323, 506(ii) of IPC and Section 4 of TNPHW Act, seek anticipatory bail.

2. The defacto complainant is the mother of the first petitioner and the second petitioner is the wife of the first petitioner and the third petitioner is the relative of the first and second petitioner. The allegation against the petitioners is that the property belongs to the father of the first petitioner and the husband of the defacto complainant and the defacto complainant is also residing in the same house. In the mean time the husband of the defacto complainant died. After completion of 45 days ceremony the petitioners herein said to have driven the defacto complainant, who is a cancer patient out of the home. Hence based on the complaint a crime was registered.



3. The learned counsel for the petitioner would submit that it is joint family property and it is a family dispute between the parties and now the defacto complainant is residing in another brother's house.

4. When this Court insisted the petitioners to hand over the key to the old lady who is suffering from cancer/defacto complainant the petitioners herein agreed and hence the matter was adjourned periodically.

5. Despite several opportunities given to the petitioners they have not come forward to hand over the key and also considering the fact that the property belongs to her husband this Court is not inclined to grant anticipatory bail to the petitioners.

6. Hence this petition stand dismissed.

sd/-
29/09/2020

/ TRUE COPY /

/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

- 1 THE INSPECTOR OF POLICE,
ERAL POLICE STATION, THOOTHUKUDI DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.9847 of 2020
Date :29/09/2020

AAV
AE/AKM/SAR-III (01.10.2020) 2P 3C