



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

Date : 22/12/2020

PRESENT

The Hon'ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD)No.15455 of 2020

Murugan

... Petitioner/1st Accused

Vs

The State rep. by
The Inspector of Police,
Suchindram Police Station,
Kanyakumari,
Kanyakumari District.
Crime No.718 of 2020

... Respondent/Complainant

For Petitioner : Mr.Jawahar.J,
Advocate.

For Respondent : Mr.KR.Bharathi Kannan,
Government Advocate (Criminal Side)

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

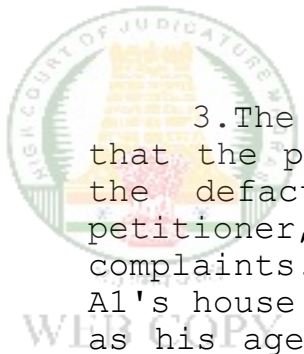
PRAYER :-

For Anticipatory Bail in Crime No.718 of 2020 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who is arrayed as A1, apprehending arrest at the hands of the respondent police for the offence punishable under Sections 294(b), 323, 427 and 506(ii) IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, in Crime No.718 of 2020, seeks anticipatory bail.

2.The case of the prosecution is that due to previous vengeance on 27.09.2020 at about 04.00 - 6.00 p.m. the petitioner/A1 had thrown stone at the defacto complainant and trespassed into her house and damaged her two wheeler. Further, the petitioner along with other accused abused the defacto complainant by using filthy language and threatened her and also assaulted her and caused simple injury. Hence, a case has been registered.



3.The learned counsel appearing for the petitioner would submit that the petitioner is arrayed as A1. In order to wreck vengeance, the defacto complainant foisted this false case against the petitioner, since the defacto complainant is already facing three complaints. The defacto complainant's family members trespassed into A1's house and scolded them and also attacked the petitioner as well as his aged parents. Therefore, no such occurrence has taken place and he seeks to grant anticipatory bail to the petitioner.

4.The learned Government Advocate (Criminal side) appearing for the respondent police submitted that there are totally three accused, in which the petitioner is arrayed as A1. There are very serious allegations as against the petitioner and A1 not only entered into the house of the defacto complainant and also tried to outrage her modesty. He further submitted that the petitioner is having one previous case.

5.It is seen that there are totally three accused, in which the petitioner is arrayed as A1. On 27.09.2020, A1 went to the house of the defacto complainant and threatened her with dire consequence. When it was questioned by the defacto complainant, she attacked by the petitioner herein and sustained injury. Again he came to the house of the defacto complainant and outrage her modesty and harassed her with dire consequence. It is also revealed that in earlier occasions, the petitioner had taken obscene video of the defacto complainant and as such she lodged a complaint and it is pending for investigation and the petitioner compelled the defacto complainant to withdraw the earlier complaint lodged by her. Thereby, the petitioner committed very serious offence and custodial interrogation of the petitioner is very much required.

6.Considering the facts and circumstances of the case this Court is not inclined to grant anticipatory bail to the petitioner.

7.Hence, the Criminal Original Petition stands dismissed.

sd/-

22/12/2020

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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,
SUCHINDRAM POLICE STATION,
KANYAKUMARI,
KANYAKUMARI DISTRICT.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.15455 of 2020

Date :22/12/2020

VSD

SRS/KV/SAR-I/07.01.2021/3P/3C