



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Ninth day of September Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.16345 of 2021

1 MOHANAPRIYA
2 MURUGESAN

[PETITIONERS / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
AVINASHI POLICE STATION,
TIRUPPUR DISTRICT.
(CRIME NO. 930 OF 2021)

[RESPONDENT]

For Petitioner : M/S.S.ASHOK KUMAR Advocate

For Respondent : MR.A.GOPINATH, Govt. Advocate (Crl. Side)

For Intervenor : M/S.V.ANANDHAMOORTHY Advocate

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

ORDER : The Court Made the following order :-

(The case has been heard through video conference)

The petitioners, who apprehend arrest for the alleged offence punishable under Section 294(b), 341 and 506(ii) of IPC in Crime No.930 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is a practising Advocate and he has appeared on behalf of the defendant's side where the suit has been filed by the petitioners in OS.No.148 of 2020 on the file of the District Munsif Court, Avinashi. Because of the defacto complainant's vociferous contentions before the trial court which is provoked the petitioners, they went to the defacto complainant's house and threatened his parents. Hence, the law enforcing agency registered the case against the petitioners.

3. The learned counsel for the petitioners submits that the petitioners have not committed any such offence as alleged by the prosecution and they have been falsely implicated in this case.



Infact, the defacto complainant used unparliamentary words during Court proceedings and the same was informed to the defacto complainant's father.

4. Mr. Anandha Moorthi, learned counsel for intervenor vehemently opposed for grant of bail to the petitioners by stating that the defacto complainant is a practising Advocate and the petitioners are Real Estate Brokers. The defacto complainant espoused his views during Court proceedings and the same was provoked by the petitioners and the petitioners had given life threat to the parents of the defacto complainant.

5. The learned Government Advocate (Crl.Side) did not dispute the facts submitted by the learned counsel for the intervenor.

6. Considering the facts and circumstances of the cases and also considering the submissions made by both counsel and also the fact that the offence committed by the petitioners is a serious one, this criminal original petition is dismissed.

-sd/-

09/09/2021

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 INSPECTOR OF POLICE,
AVINASHI POLICE STATION,
TIRUPPUR DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.S.ASHOK KUMAR Advocate on payment of necessary charges SR.NO.9915

CRL OP.16345/2021

Date :09/09/2021

CSK 04/10/2021

<https://hcservices.ecourts.gov.in/hcservices/>