



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

Date : 06/07/2021

WEB COPY

PRESENT

The Hon'ble Mr.Justice G.CHANDRASEKHARAN

CRL OP (MD) No.4381 of 2021

M.Irulappan

... Petitioner/Sole Accused

Vs

The State Rep. by
The Inspector of Police,
Jetti Police Station,
Rameswaram, Ramanathapuram District.
Crime No.63/2021.

... Respondent/Complainant

For Petitioner : Mr.Kannan.M., Advocate.

For Respondent : Mr.M.Muthumanikkam,
Government Advocate (Crl.Side)

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

PRAYER :- For Anticipatory Bail in Crime No.63 of 2021 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 alleged offences punishable under Section 436 IPC in Crime No.63 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that there was a dispute between the defacto complainant's brother and his wife Murugeshwari. There is a complaint registered against the brothers-in-law of the defacto complainant's brother and his parents-in-law and his wife on 06.03.2021. They had scolded the defacto complainant and others in filthy language and threatened them to eliminate them for giving police complaint. One Muthunachi told him to go to his mother-in-law's house and also sent Murugan to his sister's house. On 12.03.2021, at about, 09.30 pm., he heard the noise of his brothers, mother-in-law, father-in-law and his wife. He came out and saw that the house was burnt and her aunt asked who set the fire, accused Irulappan told that he had set fire and he also stated that he set fire to eliminate her family members. He had also beaten the aunt of the defacto complainant. Irulandi, Muniyasamy, Kamala and Murugeswari came there and told that they set fire to the house. As a result, house articles, defacto complainant's wife's sreeethana articles worth about Rs.1,25,000/-, TV, Home Theatre, Water Motor, Fan, Wardrobe to the tune of Rs.50,000, fishing net



worth about Rs.25,000/- and certain documents have been burnt. Total value of the damaged goods is Rs.3,50,000. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He also filed copy of the wound certificate of the Murugeswari and she is alone a victim in this case. Therefore, he seeks anticipatory bail to the petitioner.

4.The learned Government Advocate(Crl.side) appearing for the respondent police opposed this petition on the ground that the investigation is not completed and the fire caused extensive damage to the goods and other properties. He also produced the copies of photographs to show the damage.

5.The allegations made in FIR show that due to previous enmity, the defacto complainant's house and other properties were set fire and the value of the damaged goods is Rs.3,50,000/-. Copies of photographs produced by the learned Government Advocate(Crl.side) supported that the damage was extensive. Considering the seriousness of the offence and the fact that investigation is not completed, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this criminal original petition is dismissed.

sd/-

06/07/2021

/ TRUE COPY /

/ /2021

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,
JETTI POLICE STATION,
RAMESWARAM, RAMANATHAPURAM DISTRICT.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to Mr.M.KANNAN, Advocate (SR-4375[I] dated 07/07/2021)

ORDER IN

CRL OP(MD) No.4381 of 2021

Date :06/07/2021