



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/08/2021

WEB COPY

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD)Nos.8076 & 8086 of 2021

Crl.O.P. (MD)No.8076 of 2021

1. K. Sakthivel

2. Buvaneshwari

... Petitioners/Accused Nos.1&2

Vs

State Rep by
The Inspector of Police,
Somarasampet Police Station,
Trichy District
(Crime No.488/2021)

... Respondent/Complainant

Crl.O.P. (MD)No.8086 of 2021

1. K. Sakthivel

2. Buvaneshwari

... Petitioners/Accused Nos. 1&2

Vs

The Inspector of Police,
Somarasampet Police Station,
Trichy District
(Crime No.241/2021)

... Respondent/Complainant

For Petitioners : Mr.Sivchandran P,
(in both Crl.OPs.) Advocate.

For Respondent : Mr.P.Kottai Chamy,
(in both Crl.OPs.) Government Advocate (Crl.Side)

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

COMMON PRAYER :-

For Anticipatory Bail in Cr.Nos.488 & 241 of 2021 on the file
of the respondent police.

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



COMMON ORDER : The Court made the following common order :-

The petitioners, in Crl.O.P.(MD)No.8076 of 2021, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Section 380 IPC in Crime No.488 of 2021, seek anticipatory bail.

2.The petitioners, in Crl.O.P.(MD)No.8086 of 2021, who apprehend arrest at the hands of the respondent police for the offence under Sections 294(B), 323 and 506(i) IPC in Crime No.241 of 2021 on the file of the respondent police, seek anticipatory bail.

3.The case of the prosecution is that the defacto complainant in Crl.O.P.(MD)No.8076 of 2021 is the mother of the first petitioner and the defacto complainant in Crl.O.P.(MD)No.8086 of 2021 is the sister of the first petitioner. Due to property dispute, the petitioners abused the defacto complainants in filthy language and attacked them with broom-stick and cheppal. Therefore, the present cases came to be registered.

4.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case.

5.The learned Government Advocate(Crl.side) appearing for the respondent police submitted that the first petitioner is the son of the defacto complainant in Crl.O.P.(MD)No.8076 of 2021 and the second petitioner is the wife of the first petitioner. He further submitted that due to property dispute, they attacked the defacto complainants. He also submitted that investigation in this case is yet to be completed.

6.Considering the facts and circumstances of the case and also the fact that the first petitioner, in the property dispute, said to have abused and assaulted his own mother and sister, this Court is not inclined to grant anticipatory bail to the petitioners. Accordingly, this criminal original petitions are dismissed.

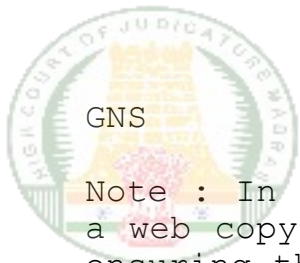
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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



GNS

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
SOMARASAMPET POLICE STATION,
TRICHY DISTRICT
- 2 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP (MD) No.8076 of 2021
Date :04/08/2021

PKP/VR/SAR-2/17/08/2021/3P/3C