



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

Date : 31/08/2021

PRESENT

The Hon'ble Mr.Justice B.PUGALENDHI

CRL OP(MD)No.9978 of 2021

KODEESHWARAN

... PETITIONER/ACCUSED NO.2

VS

THE STATE REP. BY,
THE SUB INSPECTOR OF POLICE,
WATRAP POLICE STATION,
VIRUDHUNAGAR DISTRICT.
CRIME NO.131 OF 2021.

... RESPONDENT/COMPLAINANT

For Petitioner : Mr.A.Haja Mohideen, Advocate.

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

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

PRAYER :-

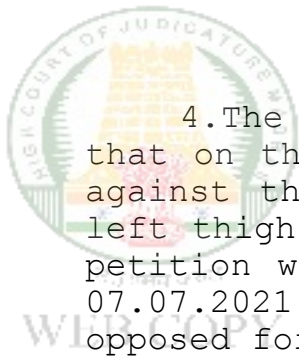
For Anticipatory Bail in Cr.No.131 of 2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A2, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 148, 294(b), 323, 324, 336 and 506(i) I.P.C and Section 4 of the Tamil Nadu Prohibition of Harassment of Woman Act, 1998, in Crime No.131 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and the defacto complainant are neighbours. Due to the dispute in connection with the wall standing between their houses, the petitioner and his family members assaulted the defacto complainant and his family members and caused injuries. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent, he has not committed any offence as alleged by the prosecution, but he has been falsely implicated in the case.



4.The learned Government Advocate (Criminal side) would submit that on the date of occurrence, the petitioner had dashed the bike against the defacto complainant's wife and caused fracture on her left thigh. By referring to the same, the earlier anticipatory bail petition was dismissed as against this petitioner by this Court on 07.07.2021 in Crl.O.P.(MD)No.8543 of 2021. Hence, he strongly opposed for grant of anticipatory bail to this petitioner.

5.Considering the specific overt act as against this petitioner and also there is no change in circumstances of the case to consider the present petition, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

sd/-
31/08/2021

/ 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 SUB INSPECTOR OF POLICE,
WATRAP POLICE STATION,
VIRDHUNAGAR DISTRICT.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.9978 of 2021
Date :31/08/2021

msa
USK/JC/SAR-II/(20.09.2021) 2P-3C