



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/10/2021

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP (MD) . No.15402 of 2021

1.K.Rajagopal

2.S.R.Kavitha

... Petitioners/Accused
No.1 & 2

Vs

State rep.by
The Inspector of Police,
Arumanai Police Station,
Kanyakumari District.
(Crime No.44 of 2021).

... Respondent/Complainant

For Petitioners : M/s.C.R.Nimal, Advocate.

For Respondent : M/s.P.Kottai Chamy,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.44 of 2021 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police, for the offence punishable under Sections 294(b), 323, 355 and 506(ii) of IPC, 1860 and r/w Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, in Crime No.44 of 2021, seek anticipatory bail.

2.The case of the prosecution is that due to money dispute, the petitioner abused the defacto complainant in filthy language and also attacked him. Therefore, the present case came to be registered.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely



implicated in this case. He would further submit that the petitioners are ready to repay the entire amount to the defacto complainant.

4. On 07.10.2021, this Court has granted interim protection to the petitioners with directions to the petitioners to appear before the respondent police till 25.10.2021 and co-operate for the enquiry and also directed the respondent police to find out the truth and file a report before this Court on the next hearing.

5. Today i.e on 25.10.2021, when the matter is taken up for hearing, the learned Government Advocate would submit that the petitioners did not co-operate for the enquiry and they have failed to repay the amount to the defacto complainant, as undertaken by them.

6. Considering the conduct and attitude of the petitioners, this Court is not inclined to grant anticipatory bail to the petitioners.

Hence, this Criminal Original Petition is dismissed.

Sd/-
29/10/2021

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/ /2021

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

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

ORDER
IN
CRL OP (MD) No.15402 of 2021
Date : 29/10/2021