



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 27/10/2021
PRESENT

WEB COPY

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.16406 of 2021

Ponraj

... Petitioner/Sole Accused

Vs

The State rep. by
The Inspector of Police,
Vilathikulam Police Station,
Thoothukudi,
Thoothukudi District.
(Crime No. 448 of 2021).

... Respondent/Complainant

For Petitioner : Mr.S.VISHNUVARDHAN,
Advocate.

For Respondent : Mr.P.KOTTAI CHAMY,
Government Advocate (Crl.Side)

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

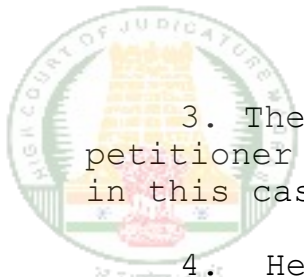
PRAYER :-

For Anticipatory bail in Crime No.448 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 Sections 294(b), 452, 307 and 506(ii) of IPC, in Crime No.448 of 2021, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner is the son-in-law of the defacto complainant. After marriage, the petitioner separated from his parents and living in the defacto complainant's house along with his wife. In this juncture, the petitioner went to his parents' home and thereafter, he did not return to the defacto complainant's house for 20 days, so that, the defacto complainant and her daughter made a complainant on 09.09.2021 before the All women Police Station where the station officer called the petitioner through mobile phone but, his phone was switched off. Thereafter, on the same day, the petitioner came to the defacto complainant's house, abused his wife and mother-in-law and also assaulted them. Hence, the present complaint.



3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case.

4. Heard the learned Government Advocate (Criminal Side) appearing for the respondent Police.

5. It appears that this is the second application for anticipatory bail. The earlier anticipatory bail Petition filed in Crl.OP(MD)No.13843 of 2021 was dismissed as against the petitioner on 28.09.2021, on the grounds that the victim is still in hospital and also his antecedents. Now, this application is filed by the petitioner without referring to the change of circumstances to consider the case.

6. Since there is no change of circumstance, the nature of injury sustained by the victim and considering the antecedents of the petitioner, this Court is not inclined to entertain this Criminal Original Petition and the same is accordingly dismissed.

sd/-

27/10/2021

/ 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,
VILATHIKULAM POLICE STATION,
THOOTHUKUDI,
THOOTHUKUDI DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.16406 of 2021
Date :27/10/2021

SA/SKN/SAR.3/02.11.2021/2P/3C