



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

Date : 27/10/2021

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.16190 of 2021

WEB COPY

Mohapilasha

... Petitioner/Accused Rank Not Known

Vs

State Rep.by

The Inspector of Police,
Sengottai Police Station,
Tenkasi District.

(Crime No.307 of 2021)

... Respondent/Complainant

For Petitioner : M/s.Jinnah S.M.A.,
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 Crime No.307 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 offence punishable under Sections 294(b), 448, 323 IPC r/w. Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, in Crime No.307 of 2021, on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant's husband is a building contractor and he constructed the petitioner's house. After completion of the construction work, the petitioner has not paid the balance amount. Therefore, he requested him to pay the balance amount. Instead of paying the balance amount, the petitioner came to the house of the defacto complainant, abused her mother-in-law in filthy language, attacked her husband and when she tried to prevent the same, he pushed her down and thereby, she sustained injuries. Hence, the case.

3.The learned counsel for the petitioner submits that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he prayed for grant of anticipatory bail to the petitioner.



4.Though it is a dispute between the contractor and his customer, the learned Government Advocate (Crl. Side) opposed for grant of anticipatory bail on the ground that the petitioner is having three previous cases.

5.Considering the nature of offence and the antecedent of the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, the Criminal Original Petition is 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,
Sengottai Police Station,
Tenkasi District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN
CRL OP(MD) No.16190 of 2021
Date :27/10/2021

RS/VR/SAR4 (15.11.2021) 2P 3C