



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02/11/2021

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.16689 of 2021

1. Kathijama,

2. Ismail,

... Petitioners/Accused Nos 1 & 2

Vs

State Rep by,
The Inspector of Police,
Arumugneri Police Station,
Thoothukudi District.
(Crime No.262/2021).

... Respondent/Complainant

For Petitioner : MR.D.S.Haroon Rasheed, Advocate.

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

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

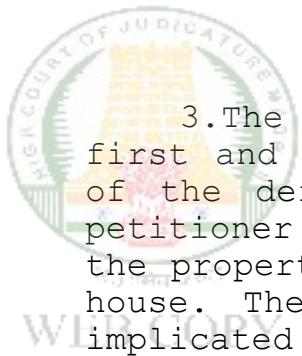
PRAYER :-

For Anticipatory Bail in Crime No.262 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 alleged offences punishable under Sections 294(b), 324 and 506(ii) of IPC in Crime No.262 of 2021, seek anticipatory bail.

2.The case of the prosecution is that there was a property dispute between the first petitioner and the defacto complainant. Due to which, the first petitioner was driven out from the joint family. While so, on 23.10.2021 at about 08.30 p.m., the first and second petitioner assaulted the defacto complainant and abused her in filthy language. Therefore, the present case came to be registered.



3.The learned counsel for the petitioner submitted that the first and the second petitioners are the sister and brother-in-law of the defacto complainant. He further submitted that the first petitioner is having right over the property and in order to grab the property from the first petitioner, she was driven out from the house. The petitioners are innocents and they have been falsely implicated in this case.

4.The learned Additional Public Prosecutor appearing for the respondent police submitted that the victim has sustained grievous injuries and eight stitches are having on her head.

5. Considering the nature of allegation levelled against the petitioners and the fact that the victim has sustained grievous injuries, this Court is not inclined to grant anticipatory bail to the petitioners. Accordingly, this Criminal Original Petition is dismissed.

sd/-
02/11/2021

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/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

ssb

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

ORDER
IN
CRL OP(MD) No.16689 of 2021
Date :02/11/2021

PKP/VR/SAR-2/12.11.2021/2P/3C