



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 16/12/2021
PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.18223 of 2021

P.Kodeeswaran

... Petitioner/Accused NO.2

Vs

The State rep.by,
The Sub Inspector of Police,
Watrap Police Station, Watrap,
Virudhunagar District.
(Crime No.131 of 2021)

... Respondent/Complainant

For Petitioner : MR.K.Arunraj, Advocate.

For Respondent : Mr.P.Kottaisamy,

Government Advocate (Crl.Side)

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

PRAYER :-For Anticipatory Bail in Crime No.131 of 2021 on the file of the respondent Police.

ORDER : The Court made the following order :-

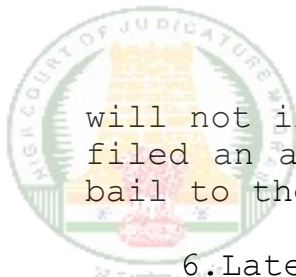
Heard the learned counsel appearing for the petitioner and the learned Government Advocate(Crl. Side) appearing for the respondent.

2.The petitioner, 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) IPC and Section 4 of the Tamil Nadu Prohibition of Harassment of Woman Act, 1998, in Crime No.131 of 2021, seeks anticipatory bail.

3.The case of the prosecution is that the petitioner and the defacto complainant are neighbours. Due to a 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.

4. This petitioner moved anticipatory bail petitions earlier, which came to be dismissed by this Court on 07.07.2021,31.08.2021 and 27.10.2021.

5.When the matter was taken up for hearing on 08.12.2021, the learned counsel for the petitioner submitted that this court directed the petitioner to file an affidavit that the petitioner



will not involve in any offence in future and on that score only, he filed an affidavit, based on which, this Court granted Anticipatory bail to the petitioner.

6.Later, it came to light that in earlier occasion, this Court granted interim protection to the petitioner with a direction to pay medical expenses to the victim and as on date, the petitioner has not paid any compensation to the victim, as undertaken by him. But, he filed an affidavit that he will not indulge in any offence in future and there is no whisper about the compensation amount to be paid to the victim. Hence, the matter was ordered to be listed today (16.12.2021), under the caption "for clarification".

7.Today(16.12.2021), the learned counsel for the petitioner appeared through video conference. When a question is posed on the learned counsel, with regard to the affidavit of the petitioner, he submits that the petitioner will not involve in any offence in future.

8.Considering the conduct of the petitioner in not adhering to the undertaken given by him earlier, this Court is not inclined to grant anticipatory bail to the petitioner.

9.Accordingly, the Criminal Original Petition is dismissed.

sd/-
16/12/2021

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/ /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
WATRAP POLICE STATION, WATRAP, VIRUDHUNAGAR DISTRICT.

2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.18223 of 2021
Date :16/12/2021

VRN

<https://hsrvtce.org.in/Case/12.2021/2P/3C>