



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 02/12/2021

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI
CRL OP(MD). No.18421 of 2021

WEB COPY

Mohapilasha

... Petitioner/Accused Rank Not Known

Vs

State Rep.by
The Inspector of Police,
Sengottai Police Station,
Tenkasi District.
(Cr.No. 307 of 2021).

... Respondent/Complainant

For Petitioner : M/s.Jinnah.S.M.A.,
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. 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 alleged offences punishable under sections 294(b), 448, 323 IPC r/w Section 4 of Tamil Nadu Prohibition of Harassment of Woman Act, in Crime No.307 of 2021, 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, when the defacto complainant's husband requested to pay the amount, the petitioner did not make any payment. But he went to the defacto complainant's home and abused the defacto complainant's mother-in-law in filthy language and attacked the defacto complainant and her husband.

3.The learned counsel appearing for the petitioners submits that this is the second petition filed by the petitioner for anticipatory bail. The petitioner is in no way connected with the offence as alleged by the defacto complainant. Hence, he prayed for grant of anticipatory bail to the petitioner.



4.The learned Government Advocate (Crl. Side) submits that earlier petition filed by the petitioner for anticipatory bail was dismissed on the ground that the petitioner is having three cases pending against them.

5.The learned counsel for the petitioner submits that the petitioner is having only one case.

6.In reply, the learned Government Advocate disputed the same and furnished the details of the petitioner's involvement in the following cases.

Sl.No.	Crime Numbers	Nature of Offences
1.	69 of 2020 of Tenkasi PS	143, 283, 341 IPC
2.	71 of 2020 of Tenkasi PS	143, 283 IPC
3.	253 of 2020 of Shenkottai PS	143 & 269 IPC

7.Recording the submission of the learned Government Advocate and considering the fact that after the dismissal of earlier petitions, there is no change in circumstances, this Court is not inclined to grant anticipatory bail to the petitioner.

8.Accordingly, the Criminal Original Petition is dismissed.

sd/-
02/12/2021

/ 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.18421 of 2021

Date :02/12/2021

RS/PN/SAR4 (14.12.2021) 3P-3C