



WEB COPY

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

Date : 15/03/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.4309 of 2022

Selvam

... Petitioner/Accused No.6

Vs

State Rep by
The Inspector of Police,
Keela Paralachi Police Station,
Virudhunagar District.
(Crime No.05/2022).

... Respondent/Complainant

For Petitioner : M/s.Ramsundarvijayraj S, Advocate.

For Respondent : Mr.SS.Madhavan,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.05 of 2022 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 offence punishable under Sections 147, 148, 448, 294(b), 324, 354, 342 and 506(ii) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 1998 in Crime No.5 of 2022, seeks anticipatory bail.

3.The case of the prosecution is that the daughter of the first and third accused, eloped with the son of the defacto complainant. The petitioner along with other accused said to have abused the defacto complainant in filthy language and attacked him by questioning the whereabouts of the girl and boy. Hence, the complaint.



4.The learned counsel appearing for the petitioner would submit that this is the third anticipatory bail petition. The earlier petitions were dismissed on the ground that the petitioner is having previous case under Section 307 of IPC. He would submit that there is no specific overt act as against the petitioner in the First Information Report and the petitioner is innocent and he has been falsely implicated in this case.

5.The learned Government Advocate (crl.side) appearing for the respondent police submits that the previous case, pending against the petitioner is only for offence under Section 307 IPC and not 302 IPC. It was mistakenly mentioned by the respondent police at the time of hearing in the earlier anticipatory bail petition. He further submits that investigation is going on.

6.The earlier petitions have been dismissed by this Court on the ground that the petitioner is having bad antecedent for the offence under Section 307 of IPC. Noting the bad antecedent of the petitioner, the earlier petition came to be dismissed by this Court vide order dated 22.02.2022. Now this petition has been filed on the ground that his wife is admitted in the hospital and he has to take his wife to Punalur for treatment. The petitioner has also produced the train tickets.

7.This Court is of the view that the petitioner can very well take his wife to Punalur for getting treatment, since he has not been arrested so far. For that purpose, anticipatory bail may not be granted. If any necessity arises, he may file a fresh petition.

8.With the above liberty, this Criminal Original Petition is dismissed.

Sd/-
31/03/2022

/ TRUE COPY /

/ /2022
Sub-Assistant Registrar (C.S.IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

CP

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,
KEELA PARALACHI POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

+1. CC to M/S.RAMSUNDARVIJAYRAJ S Advocate SR.No.2043

ORDER
IN
CRL OP(MD) No.4309 of 2022
Date :31/03/2022

SP/SVR/SAR IV/07/04/2022/3P/4C