



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

Date : 25/04/2022

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

WEB COPY

CRL OP(MD). No.4909 of 2022

S.Ravichandran,

... Petitioner/Sole Accused

Vs

THE STATE REP BY,
The Inspector of Police,
Thiruvadanai Police Station,
Ramanathapuram District.
(Crime No.323/2021).

... Respondent/Complainant

For Petitioner : Mr.P.Manimaran, Advocate.

For Respondent : Mr.M.Muthumanikkam,
Government Advocate (Crl.Side)

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

PRAYER :-

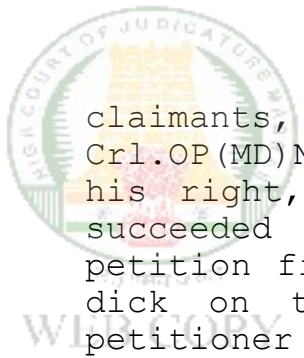
For Anticipatory bail in Crime No.323/2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 354(A)(i)(ii) and 506(ii) IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act and Section 5 of Immoral Traffic (Prevention) Act, 1956, in Cr.No.323 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that on 13.12.2021 at about 09.30 am, when the defacto complainant after dropping her physically challenged husband in the School, where he was working, was returning and while she was proceeding in a two wheeler along with her child, the petitioner came in a car with speed and stopped the car as if, the car was going to hit the two wheeler, that the complainant has fallen down, that the petitioner had abused her in filthy language and threatened her to give her consent for prostitution or else at least to satisfy him and that the petitioner has also threatened that in case of her failure to do so, he would kill her by dashing his car against her. Hence, the complaint.

3.The petitioner's case is that after purchasing the property at <https://hse.serve.gov.in/hse/> he had faced lot of disturbance from the fake



claimants, that he had approached this Court by filing petitions in Crl.OP(MD)No.18171 of 2021 and WP(MD)No.20716 of 2021 for protecting his right, that in the said process, the petitioner has finally succeeded in getting his FIR alive after the dismissal of quash petition filed by the accused therein, that the same has mounted a dick on their mind and hence, they have planned to see the petitioner to face a criminal prosecution and in order to get the things done, they have set up the defacto complainant and lodged the above false complaint.

4.No doubt, the petitioner has filed a petition in Crl.OP(MD) No.20592 of 2021, under Section 482 Cr.P.C, directing the Police officials not to harass him under the guise of holding an enquiry and this Court vide order dated 23.12.2021, has issued directions for the disposal of the petition pending before the respondent police and in that petition, he has impleaded one A.Kannan as fourth respondent apart from the police officials.

5.Moreover, he has also filed a petition in Crl.OP(MD)No.18171 of 2021, under Section 482 Cr.P.C., seeking orders to transfer the investigation of the case in Crime No.480 of 2021 on the file of the Inspector of Police, Devakottai Town Police Station to the Inspector of Police, Anti Land Grabbing Special, Sivagangai District and this Court vide order dated 22.11.2021 has granted the relief sought for.

6.It is seen from the records that the petitioner's earlier anticipatory bail application in Crl.O.P.(MD)No.20079 of 2021 was dismissed by this Court, dated 18.02.2022.

7.The learned Government Advocate (Crl. side) would submit that the petitioner is having many previous cases for similar offence and he is a habitual offender and that the investigation is not yet completed.

8.Considering the seriousness and gravity of the offence alleged and also the facts that the petitioner is having many previous cases for similar offence and that there is no change in circumstances, since the dismissal of the earlier application, this Court is not inclined to grant anticipatory bail to the petitioner.

9.Accordingly, this Criminal Original Petition is dismissed.

sd/-

25/04/2022

/ TRUE COPY /

/ /2022

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



SJI

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

ORDER
IN
CRL OP(MD) No.4909 of 2022
Date :25/04/2022

SJI
PKP/JM/SAR-2/04.05.2022/3P/3C