



WEB COPY

CRL OP(MD).



22

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11.08.2022

PRESENT

The Hon`ble Mr.Justice **K.MURALI SHANKAR**

CRL OP(MD) . No.8458 of 2022

M.Chinnathambi		... Petitioner/ Sole Accused
	Vs	
1.State represented		
The Inspector of Police,		
Kadamalaikundu Police Station,		
Theni District.		
(Crime No.486 of 2021)		... Respondent/ Complainant
2.Devi		... Respondent/ Defacto
		Complainant

For Petitioner : Mr.K.Palmurugan,
Advocate.

For Respondent : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor
for R1.

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

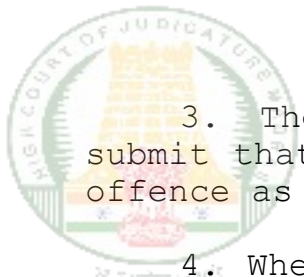
PRAYER :-

For Anticipatory Bail in Crime No.486 of 2021 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/sole accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 354(B) and 323 IPC, in Crime No.486 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that there was a pathway dispute between the petitioner and the defacto complainant, due to which, the petitioner misbehaved with the defacto complainant when she was grazing her cow. On 27.11.2021, when the defacto complainant went out of her house, the petitioner herein tried to rape her. Hence, the complaint.



3. The learned counsel appearing for the petitioner submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution.

4. When the matter is taken up for hearing today, the learned Additional Public Prosecutor appearing for the respondent police would submit that charge sheet has been filed and the case was taken on file in C.C.No.338 of 2022 before the learned Judicial Magistrate, Andipatty. He would further submit that the learned Magistrate has issued summons for the appearance of the accused.

5. Since the learned Magistrate has ordered issuance of summons, the question of granting anticipatory bail does not arise at all. The petitioner is at liberty to appear before the concerned Magistrate and if required, he shall execute a bond as directed by the learned Magistrate.

6. In the result, this Criminal Original Petition is dismissed.

sd/-

11/08/2022

/ TRUE COPY /

/08/2022

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

CSM

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,
Kadamalaikundu Police Station,
Theni District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1. CC to M/S.PALMURUGAN K Advocate SR.No.8440

ORDER

IN

CRL OP(MD) No.8458 of 2022

Date :11/08/2022

RK/JM/SAR-III (17/08/2022) 2P/4C