



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

Date : 27/10/2022

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD). No.12623 of 2022

WEB COPY

1. Brida @ Brita Johanna,

2. Jebaraj,

3. Pushpam @ Rajapushpam,
Vs

... Petitioners/Accused Nos. 3 to 5

State Rep.by

The Inspector of Police,
Valliyoore Police Station,
Tirunelveli District.

Crime No.158 of 2022..

... Respondent/Complainant

For Petitioner : Mr.K.Rajeshwaran, Advocate.

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

For Intervenor : Mr.R.Ponkarthikeyan, Advocate

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

PRAYER :-

For Anticipatory Bail in Crime No.158 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners apprehending arrest at the hands of the respondent police for the offences punishable under sections 147, 294(b), 323, 379, 500 and 506(i) IPC in Crime No.158 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that due to family dispute, after the death of the defacto complainant's wife, the second accused, who is the son of the defacto complainant instigated the petitioners herein and taken the car of the defacto complainant and harassed him and also threatened him with dire consequences. Hence, the compliant.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent and they have not committed any offence as alleged by the prosecution and their names have not been falsely implicated in this case.



4. The learned counsel for the intervenor submitted the defacto complainant is aged about 65 years, after the death of the defacto complainant's wife, the son of the defacto complainant/ A2 started to harass the defacto complainant by joining with the accused persons and that the accused persons taken away the car of the defacto complainant and he strongly opposed to grant anticipatory bail to the petitioners.

5. The learned Government Advocate (Crl. Side) appearing for the respondent would submit that it is a dispute between the family members and that the accused persons harassed the defacto complainant both mentally and cruelly and also taken away the car from him. He would further submit that the investigation of the case is pending and hence, the custodial interrogation of the petitioner is necessary and he strongly opposed to grant anticipatory bail to the petitioner.

6. Considering the submission made by the learned Government Advocate (Crl. Side) appearing for the respondent that the property was not yet recovered and also considering the serious nature of allegations made against the petitioner, this Court is not inclined to grant anticipatory bail to the petitioners.

7. Accordingly, this Criminal Original Petition is dismissed.

sd/-

27/10/2022

/ TRUE COPY /

/11/2022

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

TO

1 THE INSPECTOR OF POLICE
VALLIYOOR POLICE STATION,
TIRUNELVELI DISTRICT.

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

+1. CC to M/S.RAJESHWARAN K Advocate SR.No.12084(I)

+1. CC to M/S.R.PONKARTHIKEYAN, Advocate SR.No.12032(I)

ORDER

IN

CRL OP(MD) No.12623 of 2022

Date :27/10/2022

trp

PKP/BUC/SAR-1/11.11.2022/2P/5C