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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/08/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP (MD) . No.14208 of 2022

1. Muthupandi
2. Mahalakshmi
3. Vanamuthu

... Petitioners/Accused
No.1,2 & 4

Vs

State rep.by
The Inspector of Police,
Varusanadu Police Station,
Theni District.
(Crime No.82 of 2022).

... Respondent/Complainant

For Petitioners : M/s.Susi Kumar.C, Advocate.

For Respondent : Mr.P.Kottaichamy,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.82 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/A1, A2 & A4, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 324, 506(ii) and 109 IPC r/w Section 4 of Prohibition of Harassment of Woman Act, 2002 in Crime No.82 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that on 08.06.2022 at about 05.00 p.m, the third accused while grazing the cattle in the



occurrence place, the same was questioned by the complainant, over which, all the accused persons joined together and caused assault. Thereby, she sustained injuries. Based upon the above said offence, the present case came to be registered.

3. The learned counsel for the petitioner submitted that the petitioners along with other accused moved CrI.O.P.(MD)No.11279 of 2022 before this Court. That petition was allowed insofar as the other accused are concerned and the petitioners are concerned, that was dismissed on the ground that the petitioners are having one previous case. He further submitted that this is the second anticipatory bail application filed on the ground that the previous case is not related to the present FIR and there was a dispute between the accused persons and the relatives. At one point of time, it is stated that the accused was having a quarrel and caused injury and another line, it has been stated that they were having wooden stick and caused injury. So, according to the petitioner, this averment is contradictory. So, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. side) submitted that the petitioners are also having previous assault case and after releasing on bail, they also involved in another offence. Hence, the petitioners are not entitled for granting anticipatory bail.

5. Taking into consideration the allegations and also the bad antecedent of the petitioners and the gravity of the offence committed by the petitioners, this Court is not inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Criminal Original Petition is dismissed.

Sd/-
05/08/2022

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/08/2022
Sub-Assistant Registrar (C.S.II)
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.



1. THE INSPECTOR OF POLICE,
VARUSANADU POLICE STATION,
THENI DISTRICT.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP (MD) No.14208 of 2022
Date :05/08/2022

SP/JM/SAR II/25/08/2022/3P/3C