



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/09/2022

WEB COPY

PRESENT

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

CRL OP(MD). No.16818 of 2022

Selvakumar

... Petitioners/Accused No.1

Vs

The State rep.by,
The Sub Inspector of Police,
Nathampatti Police Station,
Virudhunagar District.
Crime No. 102 of 2022.

... Respondent/Complainant

For Petitioner : M/s.Uthayakumar. A,
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.102 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A1, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 294(b), 354(A), 354(C), 506(ii), 511 and 506(i) IPC r/w Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, in Crime No.102 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner had taken photos of the de-facto complainant's daughter, while she was taking bath. When the same was questioned by the de-facto complainant, the petitioner and A2 abused him in filthy language and threatened the de-facto complainant that they will upload the above said photos in the social media. Hence, the complaint.

3.The learned counsel for the petitioner would submit that due to pathway dispute between the parties, a false case was foisted against the petitioner. He would further submit that A2 was already granted anticipatory bail by this Court in Crl.O.P.(MD)No.15848 of 2022, dated 02.09.2022. Hence, he may be granted anticipatory bail.



4.The learned Government Advocate (Crl. side) would submit that the petitioner used to videograph the movements of the de-facto complainant's daughter and also threatened that he will upload the same in the social media. He would further submit that the investigation is pending and the custodial interrogation of the petitioner is very much necessary. Hence, he strongly opposed for grant of bail to the petitioner.

5.Considering the seriousness and gravity of the offence and also considering the fact that the investigation is pending and also the fact that the custodial interrogation of the petitioner is required in this case, this Court is not inclined to grant anticipatory bail to the petitioner.

6.Accordingly, this Criminal Original Petition is dismissed.

sd/-
22/09/2022

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/10/2022

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 Sub Inspector of Police,
Nathampatti Police Station,
Virudhunagar District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.16818 of 2022
Date :22/09/2022

RK/SBN/SAR- (03/10/2022) 2P/3C