



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/09/2022

WEB COPY

PRESENT

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

CRL OP(MD). No.17466 of 2022

1. Nadodi,

2. Jothi,

3. Boopathi,

4. Somu @ Somasundari,

5. Vinoth,

... Petitioners/Accused Nos.1 to 5
Vs

State Rep.by
The Inspector of Police,
Kottampatti Police Station,
Melur,
Madurai District.
(Cr No.300/2022)

... Respondent/Complainant

For Petitioners : Mr.A.V.Arun,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 Cr.No.300/2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused Nos.1 to 5, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 109, 147, 148, 294(b), 324, 355, 506(ii) of IPC r/w Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, in Crime No.198 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that due to wordy quarrel, on 24.09.2022, the petitioners trespassed into the defacto



complainant's house, abused the defacto complainant and his , attacked his mother with iron rod and also threatened the defacto complainant with dire consequences. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the defacto complainant in a drunken-mood abused the petitioners in filthy language, due to which, a wordy quarrel arose between them and the defacto complainant attacked the petitioners. He would further a counter case is pending against the defacto complainant in Crime No.301 of 2022. The petitioners are innocents and they have not commit any offence as alleged by the prosecution. Hence, they may be granted anticipatory bail.

4.The learned Government Advocate (Crl.side) appearing for the respondent police would submit that there is a family dispute pending between the parties and it is a case and case in counter. He would further submit that the injured is still in hospital and investigation is at the preliminary stage. Hence, he strongly opposed for grant of anticipatory bail.

5.Considering the nature of the offence and also considering the facts that the injured is still taking treatment in hospital and investigation is at the preliminary stage, this Court is not inclined to grant anticipatory bail to the petitioner.

6.Accordingly, this Criminal Original Petition is dismissed.

sd/-

30/09/2022

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/10/2022

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

cp

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
KOTTAMPATTI POLICE STATION,
MELUR, MADURAI DISTRICT.

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

ORDER

IN

CRL OP(MD) No.17466 of 2022

Date :30/09/2022