

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10/10/2022

PRESENT

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

CRL OP(MD) . No.17622 of 2022

1. A.Rajammal
2. S.Sumathi
3. Theerkatharshini ... Petitioners/Accused 2,4 & 5

Vs

State rep.by
The Inspector of Police,
S.P. Pattinam Police Station,
Ramanthapuram District.
(Crime No.108 of 2022). ... Respondent/Complainant

For Petitioners : M/s.Priscilla Pandian.J, Advocate

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.108 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 148, 294(b), 448, 323, 302I.P.C and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, in Crime No.108 of 2022, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to property dispute, on 06.07.2022 at about 09.00AM, when the defacto complainant was in her house, the accused persons assaulted her with weapons, abused in filthy language and the same was questioned by her father/deceased,

the accused persons also assaulted him with hands and legs and also threatened them with dire consequences. When the deceased brought to the hospital, it is reported that already he died. Hence, the complaint.

3. On the side of the petitioners, it is stated that the petitioners are innocent and they had not committed any such offence, as alleged by the prosecution. They are no way connected with the offence. No specific overt act against the petitioners. The co-accused were already enlarged on bail. Hence, prays to release them on anticipatory bail.

4. On the side of prosecution, it is stated that in this case, totally five accused and the petitioners are arrayed as A2, A4, A5. Due to property dispute between family members, the deceased died due to the assault. There is specific overt act against all the accused persons. Investigation is not yet completed in this case and hence, prayed to dismiss the petition.

5. Considering the facts and circumstances of the case, gravity of the offence committed by the accused persons and considering the gravity of offence, this Court is not inclined to grant anticipatory bail to them.

6. Accordingly, this Criminal Original Petition stands dismissed.

Sd/-

10/10/2022

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/10/2022

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

PNM

TO

1. THE INSPECTOR OF POLICE,
S.P PATTINAM POLICE STATION,
RAMANTHAPURAM DISTRICT.

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

+1. CC to M/S.PRISCILLA PANDIAN.J Advocate SR.No.11145

ORDER

IN

CRL OP(MD) No.17622 of 2022

Date :10/10/2022

SP/GB/SAR I/12/10/2022/2P/4C