



WEB COPY

CRL OP(MD). N



22

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

Date : 31/10/2022

PRESENT

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

CRL OP(MD). No.19219 of 2022

Gowri Sankar @ Gowrisankar

... Petitioner/Accused No.4

Vs.

State Rep. by
The Inspector of Police,
Sivagiri Police Station,
Tenkasi District.
Crime No. 370 of 2022.

... Respondent/Complainant

For Petitioner : Mr.G.Anto Prince
Advocate.

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

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

PRAYER :-

For Anticipatory Bail in Crime No. 370 of 2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused No.4, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 448, 294(b), 427, 506(2) and 379 IPC in Crime No.370 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that all the accused abused the defacto complainant in filthy language and threatened him in front of his house. A1 damaged the defacto complainant's house door by using Axe. A2 to A5 have damaged the defacto complainant's bike. Further, all the accused have broken berow in the defacto complainant's house and had committed theft of Rs.1,00,000/-. Hence,

<https://www.courtindia.org/>



3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Hence, the learned counsel seeks for anticipatory bail to the petitioner.

WEB COPY

4.The learned Government Advocate (criminal side) appearing for the respondent police would submit that the petitioner has damaged the properties worth about Rs.20,000/- and had committed theft of Rs.1,00,000/-. He would further submit that in this case, A2 and A3 are in judicial custody. Hence, the learned Government Advocate (criminal side) strongly opposed to grant anticipatory bail.

5.Considering the facts and circumstances of the case and also considering the nature of the offence and also considering the fact that A2 and A3 are still in judicial custody and the petitioner/A4 is having three previous cases, this Court is not inclined to grant anticipatory bail to the petitioner at this point of time.

6.Accordingly, this Criminal Original Petition is dismissed.

sd/-

31/10/2022

/ TRUE COPY /

/11/2022

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

SKN

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
SIVAGIRI POLICE STATION, TENKASI DISTRICT.
 - 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.
- +1. CC to M/S. ANTO PRINCE.G. Advocate SR.No.12194

ORDER

IN

CRL OP(MD) No.19219 of 2022

Date :31/10/2022