



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

Date : 23/11/2022

PRESENT

WEB COPY

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

CRL OP(MD) . No.20732 of 2022

1. Mathi
2. Veerammal
3. Vellaiammal

... Petitioners/Accused 3,5,6

Vs

The State Rep. By,
The Sub Inspector of Police,
Natham Police Station,
Dindigul District.
in Crime No.389/2022.

... Respondent/Complainant

For Petitioners : M/s.Vijayasethupathy V,
Advocate

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

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

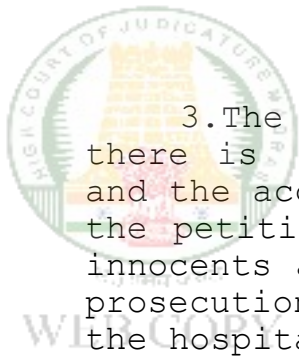
PRAYER :-

For Anticipatory Bail in Cr No.389/2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 294(b), 323, 324 and 506 (ii) of IPC, in Crime No.389 of 2022, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant took lease the land situated in Poiyampatti Villag, Natham Taluk, Dindigul District, from one Achimuthu and Kandasamy Chettiar. On 31.10.2022, the defacto complainant went to the above said land for plucking coconuts, at that time, all the accused intervened the defacto complainant, attacked him with stone and stick and also threatened him with dire consequences. Hence, the complaint.



3.The learned counsel for the petitioners would submit that there is a civil dispute pending between the defacto complainant and the accused, due to which, a false case has been foisted against the petitioners. He would further submit that the petitioners are innocents and they have not committed any offence as alleged by the prosecution. Further, the injured has already been discharged from the hospital and co-accused were arrested and thereafter released on bail. Hence, the petitioners may be granted anticipatory bail.

4.The learned Government Advocate (Crl.Side) would submit that the injured has been discharged from the hospital and co-accused were arrested and thereafter, released on bail by the Court below. He would further submit that the petitioners are having some previous cases in their credit and the investigation is still pending. If he is granted anticipatory bail at this stage, there is every likelihood of absconding. Hence, he strongly opposed for grant of anticipatory bail to the petitioners.

5.Considering the nature and gravity of the offence and also considering the conduct and bad antecedents of the petitioners, objection raised by the prosecution and the stage of investigation, this Court is not inclined to grant anticipatory bail to the petitioners.

6.Accordingly, this Criminal Original Petition is closed.

sd/-
23/11/2022

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/12/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE SUB INSPECTOR OF POLICE,
NATHAM POLICE STATION,
DINDIGUL DISTRICT.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.20732 of 2022
Date :23/11/2022

cp
USK/BUC/SAR-IV/07.12.2022/2P/3C

<https://www.mhc.tn.gov.in/judis>