



WEB COPY



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23/11/2022

PRESENT

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

CRL OP (MD) . No.20736 of 2022

1. Nagarajan
2. Reka

... Petitioners/Accused No.1,2

Vs

State rep.by
The Sub Inspector of Police,
Kandavarayanpatti Police Station,
Sivagangai District.
(Crime No.55/2022).

... Respondent/Complainant

For Petitioner : M/s.Sepana @ Sree P, 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.55/2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/A1 & A2, who apprehend arrest at the hands of the respondent police for the offence under Sections 294(b), 323 and 506(ii) IPC and Section 3(1) of Women Harassment Act, in Crime No.55 of 2022, seek anticipatory bail.

2.The case of the prosecution is that due to pathway dispute between the parties, on 16.11.2022, there was a wordy quarrel arose between them, in which, the petitioners abused the de-facto complainant and her husband in filthy language and attacked her and caused injuries to her and also gave life threat to them. Hence, the complaint.



3.The learned counsel for the petitioners would submit that the petitioners and the de-facto complainant are neighbours. Due to pathway dispute, a false case was foisted against the petitioners and the petitioners are innocents and they have been falsely implicated in this case. Hence, he prays for anticipatory bail.

4.The learned Government Advocate (Crl. side) would submit that totally two accused involved in this case and the petitioners are arrayed as A1 and A2. Due to pathway dispute between the parties, the petitioners attacked the de-facto complainant and also caused injuries to her. The injured is still in hospital and the investigation is still pending. Hence, he strongly opposed for grant of anticipatory bail.

5.Considering the gravity and nature of the offence and also considering the facts that the injured in this case is still in hospital and the investigation is still pending, this court is not inclined to grant anticipatory bail to the petitioners.

6.Accordingly, this Criminal Original Petition is dismissed.

Sd/-
23/11/2022

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/11/2022
Sub-Assistant Registrar (C.S.II)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI

TO

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

ORDER
IN
CRL OP(MD) No.20736 of 2022
Date :23/11/2022