



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.20726 of 2022

Ananthan

... Petitioner/Sole Accused

Vs

The State Rep. By,
The Inspector of Police,
Kadamalaikundu Police Station,
Theni District.
(Crime No.321/2022).

... Respondent/Complainant

For Petitioner : M/s.Prakash K,
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.321/2022 on the file of the respondent police.

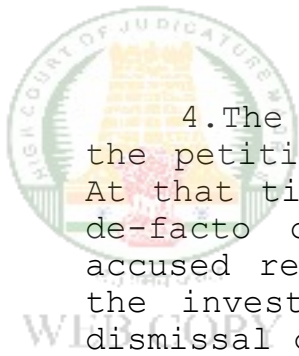
ORDER : The Court made the following order :-

The petitioner/Sole Accused, who apprehends arrest at the hands of the respondent police for the offence under Sections 294(b), 323, 506(ii) IPC and Section 4 of Tamil Nadu Prohibition of Women Harassment Act, 2002, in Crime No.321 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that on 01.10.2022 at about 10.30 a.m, there was a wordy quarrel between the parties, the petitioner abused the de-facto complainant in filthy language and attacked her and also caused injuries to her. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is working in Army and the de-facto complainant's husband also working in Army. The petitioner had illicit intimacy with the de-facto complainant for the past five years. Thereafter, the petitioner refused the de-facto complainant. Due to which, the de-facto complainant lodged a false complaint against the petitioner.

Hence, he prays for anticipatory bail.



4.The learned Government Advocate (Crl. side) would submit at the petitioner had illicit intimacy with the de-facto complainant. At that time, she gave some jewels to the accused. Thereafter, the de-facto complainant asked to return the said jewels, but the accused refused to give the jewels and thereby, cheated her. Now, the investigation is in preliminary stage. Hence, he prayed for dismissal of this petition.

5.Considering the gravity and nature of offence and also considering the facts that there is a specific overt act attributed against the petitioner and the investigation is in preliminary stage, this Court is not inclined to grant anticipatory bail.

6.Accordingly, this Criminal Original Petition is dismissed.

sd/-
23/11/2022

/ TRUE COPY /

/12/2022

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

TO

1. THE INSPECTOR OF POLICE,
KADAMALAIKUNDU POLICE STATION,
THENI DISTRICT.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.20726 of 2022
Date :23/11/2022

sjj
USK/SSS/SAR-I/02.12.2022/2P/3C