



WEB COPY



Crl.O.P.No.7601 of 2023

Crl.O.P.No.7601 of 2023
and
Crl.M.P.No.5076 of 2023
A.D.JAGADISH CHANDIRA, J.,

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323 and 506(ii) of IPC read with Section 4 of Women Harassment Act, in Crime No.175 of 2023, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant Mariyammal is that she is the second wife of A1, who is the petitioner herein. On 03.03.2023, with regard to family dispute, the petitioner along with his family members abused and assaulted the defacto complainant with hands, resulting in her sustaining injuries. Hence the complaint.

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 and he has been falsely implicated in this case. He would also submit that the petitioner is ready and willing to furnish solvent sureties and to abide by any stringent condition that may be imposed by this Court. Hence, he prays for grant of anticipatory bail to



Crl.O.P.No.7601 of 2023

the petitioner.

4. The learned Government Advocate (Criminal Side) for the respondent would submit that with regard to family dispute, the petitioner along with other accused abused the de facto complainant with filthy language and assaulted her, resulting in her sustaining injuries. He would further submit that the injured has been discharged from the hospital. Further, he would submit that the petitioner is a habitual offender and against him, several cases of similar nature are pending on the file of the Periyapalaiyam and Uthukottai Police Station. Further, based on the complaint given by the defacto complainant, case in Crime No.7 of 2022 has also been registered by All Women Police Station, Uthukottai. The petitioner repeatedly assaulted the defacto complainant. Hence he vehemently opposed to grant anticipatory bail to the petitioner.

5. Learned Counsel for the intervenor would submit that petitioner is none other than the husband of the defacto complainant and he used to harass and assault the defacto complainant. Earlier also, the petitioner had assaulted the defacto complainant and hence case in Crime No.7 of 2022 was registered by the All Women Police Station,



Crl.O.P.No.7601 of 2023

Uthukottai against the petitioner. Even now, the petitioner has assaulted the defacto-complainant, due to which she sustained injuries. Hence he vehemently opposed to grant anticipatory bail to the petitioner.

6. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondent and the learned counsel for the intervenor and perused the materials available on record.

7. Taking into consideration of the bad antecedents of the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, the Criminal Original Petition is dismissed. Consequently, connected miscellaneous petition is also closed.

17.04.2023

mfa

A.D.JAGADISH CHANDIRA, J.



WEB COPY



Crl.O.P.No.7601 of 2023

mfa

Crl.O.P.No.7601 of 2023
and
Crl.M.P.No.5076 of 2023

17.04.2023