



Crl.O.P.No.7642 of 2023

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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), 324, 506(ii) of IPC, in Crime No.62 of 2023, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant Arasumanimegalai is that the petitioner and the defacto complainant are husband and wife and they have got one daughter and one son. The daughter is married and the son was studying 8th standard. The petitioner was in the habit of quarrelling and assaulting the defacto complainant in an inebriated condition. Subsequently, he left to Kamudhi. Thereafter, the defacto complainant was staying in her sister's house. Hence, on 08.03.2023, the petitioner lodged a complaint before the Kamudhi Police Station to ask the defacto complainant to live with him. Subsequently, the police contacted the defacto complainant and asked her to live with the petitioner for which, the defacto complainant told that after her son completing his studies, she would live with the petitioner. On the next day, i.e. on 09.03.2023 at about 6.30 a.m., when the defato complainant turned after washing her face, the petitioner who came from the back



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side of the compound wall, abused her with filthy language and also attacked her with knife due to which, she sustained cut injuries on her neck, fingers and chest. Immediately, she was admitted in the hospital. Hence, the case.

3. The learned counsel for the petitioner would submitted that the petitioner is an innocent person and due to matrimonial dispute, a false complaint has been given against the petitioner. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police vehemently opposed for grant of anticipatory bail to the petitioner stating that it is a case where the petitioner who is the husband of the defacto complainant, caused grievous injuries on the defacto complainant by using knife and hence, the defacto complainant went to the extent of death. Therefore, taking into consideration of her medical condition, the learned Magistrate also recorded her dying declaration. Subsequently, after taking treatment for one week, the defacto complainant was discharged from the hospital.



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5. Heard both sides and perused the materials available on record.

6. Taking into consideration, the serious nature of offence and the nature of injuries sustained by the defacto complainant, this Court is not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, this Criminal Original Petition stands dismissed.

12.04.2023

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