



Crl.O.P.Nos.13382 & 13399 of 2023

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**DR.G.JAYACHANDRAN,J.**

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 448 and 506(ii) of IPC r/w Section 3(1) of PPDL Act, in Crime No.39 of 2023 and for the offences punishable under Sections 294(b), 341, 342, 324, 352 and 506(ii) of IPC r/w Section 4 of Women Harassment Act, in Crime No.38 of 2023, seek anticipatory bail.

2. Two First Information Reports have been lodged against the petitioners, one for misbehaving with two young ladies, who were taking their food in the hotel and another one for using abusive words and threatening the hotel owner, who questioned them for misbehaving with two ladies.

3. The learned counsel appearing for the petitioners in both petitions contended that it is the same event therefore, there cannot be two FIRs and further there is no specific overt act alleged against the



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petitioners Arulmani @ Manikandan Arul and Ashok @ Ashokraj who are arrayed as A3 and A4.

4. Mr.N.S.Suganthan, learned Government Advocate (Crl. Side) submitted that the petitioners along with two other persons, on seeing two college students draw money from ATM and went to the hotel have followed them and harassed them. Thereafter, when that was questioned by the owner of the hotel, they vandalised the hotel and threatened him with dire consequences. Hence, two complaints one by the victim girls and another by the hotel owner received by the police and therefore, two FIRs were registered in Crime Nos.38 and 39 of 2023. While A1 and A2 were arrested on 08.04.2023 and released on bail, these two petitioners are absconding and not co-operating with the investigation.

5. The learned counsel for the petitioners further stated that the alleged occurrence is took place on 07.04.2023 at 8.30 p.m., whereas the complaint filed belatedly on the next day after 12 hours of the occurrence.



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6. This Court on perusing the records and the averments made by the petitioners herein, find that the petitioners have harassed college students in a public place and thereafter, vandalised the hotel. Hence, two complaints have been received from two different persons. As far as the bail granted to other two co-accused, it appears that both have co-operated with the investigation and they were granted bail by the police whereas these two petitioners, who are named accused are absconding and not co-operating with the investigation. Therefore, grant of anticipatory bail will not ensure co-operation from the petitioners going by conduct of the petitioners as found in FIRs. Therefore, this Court is not inclined to grant anticipatory bail to the petitioners.

7. Accordingly, these criminal original petitions are dismissed.

**16.06.2023**

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