



WEB COPY



Crl.O.P.No.19250 of 2023

Crl.O.P.No.19250 of 2023

Reserved On	04.09.2023
Pronounced On	08.09.2023

RMT.TEEKAA RAMAN, J.

The petitioner, who apprehend arrest at the hands of the respondent police for the alleged offences under **Sections 294(b), 323, 324, 506(ii) of IPC and Section 4 of TNPHW Act in Crime No.180 of 2023** on the file of the respondent police, seek anticipatory bail.

2. As per prosecution, on 15.07.2023, at about 8.00 p.m., due to previous enmity, the petitioner abused the *de-facto* complainant in filthy language and assaulted him by using hands. On seeing the same, the mother-in-law of the *de-facto* complainant questioned the act of the accused, at that time, the accused assaulted her by using wooden log and the petitioner's wife quarrelled with the *de-facto* complainant's wife. All of a sudden, the petitioner assaulted the wife and father-in-law of the *de-facto* complainant by using wooden log and threatened them with dire consequences. Hence, the complaint.

3. The learned counsel for the petitioner stated that on



Crl.O.P.No.19250 of 2023

WEB COPY

15.07.2023, around 08.00 p.m., when the petitioner was about to go out for some personal work, the *de-facto* complainant has blocked the car by parking his two- wheeler in front of the car and restrained the petitioner from taking the car out from the parking. When the petitioner asked the *de-facto* complainant to take his two-wheeler, the *de-facto* complainant started to abuse the petitioner and his wife in filthy language and also warned them for dire consequences. In the meanwhile, the family members of the *de-facto* complainant came to the spot and started quarrel with the petitioner and his wife. During the argument the *de-facto* complainant is the one who started to attack the petitioner and his wife with a wooden log and due to which, the petitioner and his wife got severely injured and hospitalized in the Government Hospital, Coimbatore.

4. The learned Government Advocate (Crl.side) stated that both the *de-facto* complainant and his family members and the petitioner herein and his wife were admitted in the Government Hospital with severe injuries on 15.07.2023 and got discharged on 20.07.2023. In this Crime No.180 of 2023, the petitioner is an



Crl.O.P.No.19250 of 2023

accused, while a counter case in Crime No.181 of 2023 registered as against the *de-facto* complainant and his family members for the offences under Sections 294(b), 323, 324, 506(ii) of IPC and Section 4 of TNPHW Act is pending. The learned Principal District and Sessions Judge, Coimbatore has dismissed the anticipatory bail petition in Crl.M.P.No.4054 of 2023 on 28.07.2023 and so also another anticipatory bail petition in Crl.M.P.No.4426 of 2023 on 10.08.2023.

5. After hearing the rival submissions and perusing the documents, I find that the petitioner and the *de-facto* complainant are neighbours. Petitioner claims that he used to park his car in the adjacent vacant land, which is owned by some third party. The *de-facto* complainant started to quarrel with the petitioner not to park the car in that particular vacant land. Both the petitioner (accused herein) and the *de-facto* complainant are not the owners of the said vacant land. Now, they have indulged in parking their respective vehicles and prevented the other person on the particular place. There is a case and counter case.



WEB COPY



Crl.O.P.No.19250 of 2023

6. On hearing the learned counsel for the intervenor, I find that the wife of the *de-facto* complainant has sustained serious injuries on the head and more than 18 stitches has been made, her skull is broken and there is a blood leakage in her brain and a major operation has been done on her skull and the *de-facto* complainant has sustained grievous injuries and he was advised to be at home.

7. Considering the health conditions of the injured in this case, that her skull is broken, serious injuries has taken place, she is unconscious and got bed ridden at home and also taking into consideration the overt act of the against the petitioner herein and the serious injuries sustained by the victim, and also the fact that investigation is at preliminary stage, I am not inclined to grant anticipatory bail to the petitioner.

8. Accordingly, this Criminal Original petition is dismissed.

08.09.2023
(1/2)

mpl



WEB COPY



Crl.O.P.No.19250 of 2023

RMT.TEEKAA RAMAN, J.

mpl

Crl.O.P.No.19250 of 2023

**08.09.2023
(1/2)**