



Crl.O.P.No.22289 of 2023

Orders Reserved on
27.09.2023

Orders Pronounced on
29.09.2023

Crl.O.P.No.22289 of 2023

RMT. TEEKAA RAMAN., J.

The petitioners herein who are A.2 & A.3 apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 448, 376, 323, 324, 506(ii) of IPC r/w Section 4 of Tamil Nadu Prohibition of Women Harassment Act, registered in Crime No.128 of 2023, seek anticipatory bail.

2. The case of the prosecution is that on 06.03.2023, the complainant was in the station duty the complainant received written complaint form the defacto complainant one Marimuthu stating that on the date of occurrence, i.e. 03.03.2023 the defacto complainant heard the moan of the wife who is in the mentally disable person and when the went inside the house, he saw A.1 forcefully raping her. On seeing the defacto complainant, he escape from the place of occurrence and when questioned, the petitioners abused him in filthy language and threatened him with dire



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consequences. On the date of occurrence, the petitioners went to the place in order to solve the issues but the defacto complainant intentionally robbed the petitioners in the case and that there was three days delay in lodging the complaint.

3. The learned counsel for the petitioner submitted that the A.1 has committed the offence while against the petitioners /A.2 & A.3 , there is overtact and seek for anticipatory bail.

4. The learned Government Advocate (crl.side) drew the attention of this court to the FIR and opposed for grant of anticipatory bail to the petitioners.

5. Heard the learned counsel for the petitioners as well as the Government Advocate (crl.side) and perused the materials on record.

6. On perusal of the FIR, the submissions of the learned Government Advocate (crl.side) and considering the overtact alleged against all the three accused that they have committed sexual assault on the mentally



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disabled women who is the wife of the defacto complainant, I am not inclined to grant anticipatory bail to the petitioners.

7. Accordingly, this Criminal Original Petition is dismissed.

29.09.2023

rgf



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rgt

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