



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.02.2023

PRESENT

THE HON'BLE MR.JUSTICE A.D.JAGADISH CHANDIRA

CRL.O.P (MD) No.3849 of 2023

WEB COPY

1.Jayaram
2.Athistakumar

... Petitioner/A2 & A3

-vs-

State represented by
The Inspector of Police,
Krishnankovil Police Station,
Virudhunagar District.
(in Cr.No.9 of 2023)

... Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 438 of Cr.P.C, praying to enlarge the petitioners on bail in the event of their arrest by the respondent Police with respect to Cr.No.9 of 2023.

For Petitioners	: Mr.V.Muthukamatchi, Advocate
For Respondent	: Mr.K.Sanjai Gandhi
	Government Advocate (Crl.side)

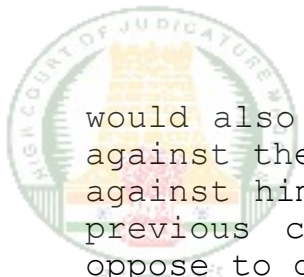
O R D E R

The petitioners, who apprehend arrest at the hands of the respondent Police for the offences punishable under Sections 147, 294(b), 323, 324, 506(i) and 506(ii) of IPC and Section 4 of TNPHW Act in Crime No.9 of 2023 on the file of the respondent Police, seek anticipatory bail.

2.The case of the prosecution, as per the de-facto complainant, is that due to previous enmity, the accused persons have trespassed into the house of the de-facto complainant and abused the de-facto complainant in filthy language and also attacked her resulting in her sustaining injuries. Hence, the case.

3.The learned Counsel for the petitioners would submit that the petitioners are innocents and the petitioners have been falsely implicated in this case. He would also submit that the petitioners have not committed any offence, as alleged by the prosecution. He would also submit that the petitioners are ready to abide by any stringent conditions, that may be imposed on them. Hence, he would seek for anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl.side) would submit that the accused persons have trespassed into the house of the de-facto complainant and abused the de-facto complainant in filthy language and also attacked her resulting in her sustaining injuries. He



would also submit that the petitioner are habitual offender as against the first petitioner, there are seven previous cases pending against him and as against the second petitioner, there are fifteen previous cases pending against him and hence, he would strongly oppose to grant anticipatory bail to the petitioners.

5. Taking into consideration the habituality of the petitioners in committing the crime and also the fact that the petitioner have more number of cases pending against them, this Court is not inclined to grant anticipatory bail to the petitioners. Hence, this petition is dismissed.

sd/-

28/02/2023

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/03/2023

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

cmr

To

1 THE INSPECTOR OF POLICE
KRISHNANKOVIL POLICE STATION, VIRUDHUNAGAR DISTRICT.

2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.3849 of 2023

Date :28/02/2023

RS//SAR-2(09.03.2023) 2P 3C