



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11/05/2023

WEB COPY

PRESENT

The Hon`ble Mrs.Justice R. KALAIMATHI

CRL OP(MD). No.8627 of 2023

1. Grace (A1),

2. Baskaran (A2), ... Petitioners/Accused Nos. 1 & 2

Vs

State Rep.by
The Sub Inspector of Police,
K.Pudur Police Station,
Madurai City
(Crime No.56 of 2023). ... Respondent/Complainant

Kiruba Vijay Anand ...Petitioner/Intervener/Defacto Complainant
in Cr1 MP(MD)No. 7416 of 2023

For Petitioners : M/s.Mariyappan.K, Advocate.

For Respondent : Mr.P.Kottaichamy,
Government Advocate (Cr1.Side)

For intervenor : M/s. Prabha,Advocate
in Cr1 MP(MD)No. 7416 of 2023

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

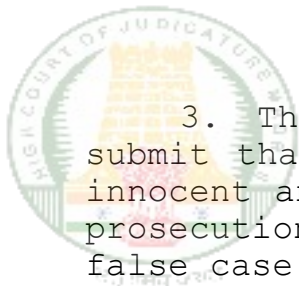
PRAYER :-

For Anticipatory Bail in Crime No.56 of 2023 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioners/accused who apprehends arrest at the hands of the respondent police for the offences punishable under section 294 (b), 506(i) IPC and Section 4 of Tamil Nadu Harassment of Women Act in Crime No.56 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that de facto complainant and the petitioners are neighbours, due to the wordy quarrel, the petitioners said to have attacked the defacto complainant and



3. The learned counsel appearing for the petitioners would submit that the petitioners are aged about 60 years and they are innocent and they have not committed any offence as alleged by the prosecution. He would further submit that due to the vengeance a false case has been registered against the petitioners.

4. The learned Government Advocate (Crl.side) appearing for the respondent would submit that the petitioners are husband and wife and the earlier petition filed by the petitioners before the Principal Sessions Judge (i/c.) Madurai was dismissed on 06.12.2022 and the investigation of the case is pending.

5. Heard the learned counsel for the petitioners and the intervenor and the learned Government Advocate (Crl. Side) appearing of the respondent police.

6. On perusal of the records it is seen that earlier petition filed by the petitioners was dismissed by the learned Principal Sessions Judge (i/c), Madurai on the ground that one case in Crime No.455 of 2022 is pending against the petitioners in similar nature of offence and they have also obtained anticipatory bail. But, in violation of the bail order, they are stated to have indulged in the present case and a petition for cancellation of bail in the above Crime No.455 of 2022 is pending for disposal and thereafter, there is no change of circumstances and hence, considering the circumstances this Court is not inclined to grant anticipatory bail to the petitioners.

7. Accordingly, this criminal Original Petition is dismissed.

sd/-
11/05/2023

/ TRUE COPY /

/05/2023

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

TRP
TO

- 1 THE SUB INSPECTOR OF POLICE
K.PUDUR POLICE STATION, MADURAI CITY
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.S.PRABHA, Advocate (SR-7312[I] dated 11/05/2023)

ORDER
IN

CRL OP(MD) No.8627 of 2023
Date :11/05/2023