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CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 16/06/2023

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD). No.10389 of 2023

Ramasamy ... Petitioner/Accused

Vs

The State Rep.by
The Inspector of Police,
Avudaiyarkoil Police Station,
Pudukkottai District.
Cr.No.89/2023. ... Respondent/Complainant\

Kanimozhi ... Intervener/ De-facto complainant in
Crl.M.P(MD)No.8287 of 2023

For Petitioner : M/s. Venkatesan,
Advocate.
For Intervenor : M/s.R.Paranjothi
Advocate
For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.89/2023 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/sole accused, who apprehend arrest at the hands of the respondent Police for the offences punishable under Sections 294(b), 324, 354 and 506(ii) of IPC in Crime No.89 of 2023 on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that due to some dispute in collecting money for the temple festival there was quarrel for which the petitioner said to have abused the defacto complainant in filthy language, attacked her and also threatened her with dire

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consequences, Hence, the complaint.

3. The learned counsel for the petitioner would submit that there was a civil dispute pending between the petitioner and the defacto complainant in respect of easementary right . That apart in their village they used to collect tax to celebrate festival in the temple called Arulmighu Sithi Vinayagar temple. Further the defacto complainant being a lady she compelled the petitioner to collect tax from her. Further the medical record produced would show that treatment were taken during the year 2006 and it is no way connected with the said occurrence, hence sought for bail.

4. The learned counsel appearing for the defacto complainant would submit that the petitioner was suffering from head injuries and had operation in her stomach and breast and as such she sustained severe injuries and there was huge blood loss and still taking treatment. Further the petitioner himself declared as ambalakarar for the village and sued to prevent the defacto complainant and her family members to enter into the temple and worship God. When it was questioned the petitioner attacked her, hence he opposed to grant anticipatory bail to the petitioner.

5. The learned Government Advocate(Crl.Side) would submit that the injured is still taking treatment and there was huge blood loss. That apart the petitioner prevented the defacto complainant and her family members to enter into the temple and also worshipping the god.

6. Taking into consideration all the above facts and circumstances of the case and also the fact that the injured is still taking treatment in the hospital, this Court is not inclined to grant anticipatory bail to the petitioner.

7. Hence the petition stands dismissed.

sd/-

16/06/2023

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/ 07 /2023

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

AAV

TO

1. The Inspector of Police,
Avudaiyarkoil Police Station,
Pudukkottai District.

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2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER

IN

CRL OP(MD) No.10389 of 2023

Date :16/06/2023

RD/MGA (03/07/2023) 3P 3C