



CRL OP(MD) No.4311 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Tuesday, the Nineteenth day of March Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.4311 of 2024

MOHAMMED KADER NAWAZ ... PETITIONER/ACCUSED NO.1

Vs

THE INSPECTOR OF POLICE
ALWARTHIRUNAGARI POLICE STATION,
THOOTHUKUDI DISTRICT.
CR.NO.21/2024

... RESPONDENT/COMPLAINANT

For Petitioner : MR.K.SUYAMBULINGA BHARATHI, Advocate
for M/S.VENKATESH.C Advocate

For Respondent : MR.S.MANIKANDAN Govt. Advocate (Crl. Side)

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

PRAYER: FOR ANTICIPATORY BAIL IN CRIME NO. 21/2024 ON THE FILE OF
THE RESPONDENT POLICE.



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ORDER : The Court Made the following order :-

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The petitioner/A1, who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 294(B), 354A(1)(i) & 506(ii) of IPC, in Crime No.21 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant is the wife of the petitioner's brother. The allegation against the petitioner is that he misbehaved with the defacto complainant. Thereby, the defacto complainant made a complaint before the respondent police..

3.The learned counsel appearing for the petitioner submitted that the petitioner is the brother-in-law of the defacto complainant. Earlier, there was a matrimonial dispute between the parties, for which, the defacto complainant made a complaint under Section 498(A) of IPC against the petitioner's family members and thereafter, the matter was compromised between them. Subsequently, there was a hassle between the petitioner's family and the defacto complainant's family, therefore, the defacto complainant made a false complaint before the respondent police. Hence, he prays for grant of anticipatory bail to the petitioners.



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4.The learned Government Advocate (Crl. side) submitted that the defacto complainant's husband is working in abroad and there is a specific allegation against the petitioner that he misbehaved with the defacto complainant and when the same was questioned by the defacto complainant, the petitioner and his family members abused the defacto complainant in filthy language. Thereby, the defacto complainant made a complaint before the respondent police and the investigation is in preliminary stage. The petitioner has three previous cases. Hence, he strongly opposed to grant anticipatory bail to the petitioners.

5.Considering the facts and circumstances of the case and the fact that the nature of allegation levelled against the petitioner is very serious and the petitioner is having three previous cases and the investigation is in preliminary stage, this Court is not inclined to grant anticipatory bail to the petitioner.

6.Accordingly, this Criminal Original Petition is dismissed.

sd/-
19/03/2024

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/03/2024
Sub-Assistant Registrar (CS -I/ II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI

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TO
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1. THE INSPECTOR OF POLICE
ALWARTHIRUNAGARI POLICE STATION,
THOOTHUKUDI DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.4311 of 2024
Date :19/03/2024

RK/VR (22/03/2024) 4P / 3C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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