

In the Court of Vacation Sessions Judge, Kanniyakumari District at Nagercoil.

Present : Thiru B. Karthikeyan, B.L.
Vacation Sessions Judge/Principal Sessions Judge,
Kanniyakumari at Nagercoil.

Thursday, the 16th day of May, 2024.

CrI.M.P. No. 63/2024

(CNR.No.TNKK0V-000132-2024)

Esakiappan @ Esakki, S/o. Nagarajan (A2)

.. Petitioner

/Vs./

Sub Inspector of Police,

Kottar Police Station,

Crime No. 148/2024 of Kottar Police Station,

Rep. by Public Prosecutor, Nagercoil.

.. Respondent

This petition is filed by Advocate Thiru C. Mathavan Pillai, u/s 438 Cr.P.C., praying to grant anticipatory bail to the petitioner.

ORDER

Heard both sides. Perused the petition.

The petitioner/accused alleged to have been committed the offence u/s 341, 294(b), 323, 324 and 506(ii) of IPC.

The case of the prosecution is that on 28.04.2024 at about 8.30 P.M., while the informant came to see his brother at Ramanputhoor, at that time the accused wrongfully restrained the defacto complainant, abused him in filthy language, assaulted him with iron rod and hands, caused injuries and also criminally intimidated him. Hence the charge.

The learned counsel for the petitioner submitted that the petitioner is innocent and he is in no way connected with this case and due to previous enmity, this false case has been foisted against the petitioner and the petitioner is ready to abide by any condition and prayed for anticipatory bail to the petitioner.

The learned Public Prosecutor opposed the application and submitted that the injured not yet discharged from the hospital and the investigation is not yet over.

Considering the nature of the offence alleged to have been committed by the petitioner/accused and also considering the objection of the learned Public Prosecutor that the injured not yet discharged from the hospital, this court is not inclined to grant anticipatory bail to the petitioner/Accused at this stage. Hence this petition is dismissed.

In the result, this petition is dismissed.

Pronounced by me in open court this the 16th day of May, 2024.

Vacation Sessions Judge.