

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.122/2024

(CNR.No.TNKK0V-000210-2024)

Vimalan @ Vimalan Raj S/o. Pichai @ Pichaiya .. Petitioner

/Vs./

Sub Inspector of Police,

Aralvaimozhi Police Station,

Crime No.158/2024 of Aralvaimozhi Police Station,

Rep. by P.P. Nagercoil.

.. Respondent

This petition is filed by Advocate Thiru V. E. John Vianney, u/s 438
Cr.P.C., praying to grant anticipatory bail to the petitioner.

ORDER

The petitioner/accused alleged to have been committed the offence u/s
294(b), 341, 506(ii) and 354 of IPC and Section 4 of TNPHW Act.

The case of the prosecution is that on 03.05.2024 at about 23.30 hours,
while the informant was taking bath in her house, the petitioner watched and recorded
it in his cell phone and when it was questioned by the informant's husband, the
petitioner restrained him and uttered obscene words against him and criminally
intimidated him. Hence the charge.

The learned counsel for the petitioner submitted that the petitioner is

innocent of the offences alleged in the FIR and the occurrence was happened on 03.05.2024, bu the FIR was registered on 09.05.2024 and the petitioner is possessing good position in BJP party and to degrade his reputation, this false case has been foisted against him 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 on 03.05.2024 at about 11.30 P.M., when the defacto complainant was taking bath in the bathroom, the petitioner recorded the same in his mobile phone and then on 08.05.2024 at 5.00 P.M., this petitioner abused the husband of the defacto complainant and threatened him and the investigation is not yet over.

Considering the grievous nature of the offences alleged to have been committed by the petitioner/accused and also considering the fact that the occurrence happened only on 03.05.2024 and by this time, the investigation would not have been completed, this court is not inclined to grant anticipatory bail to the petitioner at this stage.

In the result, this petition is dismissed.

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

Vacation Sessions Judge.