

In the Court of the Vacation Sessions Judge, Theni.

Present: Thiru. P. Ganesan, B.A., B.L., D.L.L.,
Vacation Sessions Judge, Theni,

Dated this the 13th day of May 2024

Cr1.M.P.No.49/2024

CNR.No.TNTH00-000049-2024

1. Gopi

2. Kaveri Raja

... Petitioners/Accused

-Versus-

State through the Inspector of Police,

Bodi Town P. S. in

Cr.No.126/2024

... Respondent/Complainant

This petition is coming up on this day before me for hearing in the presence of Thiru. P. John Mohandoss, Learned Counsel for the petitioners and the Learned Public Prosecutor for the State and this Court passed the following:

ORDER

This petition has been filed by the petitioners/accused U/s.438 of Code of Criminal Procedure seeking anticipatory bail.

2. The Nitty-Gritty of the prosecution case is as follows :-

On 21.04.2024 at 7.45 p.m., the accused drove Auto bearing registration No.TN 60 W 6581 and dashed against the complainant. Before that they abused and intimidated the complainant. Therefore the case registered against them U/s.294(b) and 307 of IPC.

3. Heard both sides.

4. The points for determination is that can the petitioners be released on anticipatory bail ?

..2..

Answer :

5. The FIR and reply given by the Police are perused. The FIR prima facie shows that the accused drove the Auto bearing registration No.TN 60 W 6581 towards complainant and dashed against him. Consequently the complainant suffered severe injuries. It came to light from FIR that already Session Case No.107/2022 is pending against the complainant. So the facts altogether shows that both complainant party and accused persons frequently fight with each other and creating trouble in the locality. In such circumstances if released on bail, the petitioners would again pose threat to the life of the complainant. Therefore the petitioners are not entitled for anticipatory bail.

In result, this anticipatory bail petition is dismissed. The petition in respect of the petitioner No.1 is also dismissed as not pressed.

Pronounced by me in open Court on this the 13th day of May 2024.

**Vacation Sessions Judge,
Theni.**

Copy to:

The Judicial Magistrate, Bodinayakanur.