

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 28th day of May 2024

CrI.M.P. No.189/2024

CNR.No.TNTH00-000225-2024

Karuppaiya

... Petitioner/Accused

-Versus-

State through the Inspector of Police,

Thenkarai P.S. in

Cr.No.93/2024

... Respondent/Complainant

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

ORDER

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

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

On 23.02.2024 at 10.00 a.m., the petitioner in an inebriated state, abused the complainant with filthy language and assaulted her. Further he intimidated her with dire consequences. Therefore case registered against him U/s.294(b), 323, 506(i) of IPC and 4 of TNPWH Act.

3. Heard both sides.

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

..2..

Answer :

Records perused. The FIR unfolded that the petitioner abused and assaulted the complainant in an inebriated state. The prosecution submitted that already four criminal cases under NDPS Act are pending against the petitioner. Also the petitioner was brought under history sheeter. The above facts prima facie show that the petitioner in an inebriated state, committed the offence against the complainant who was elderly women. Further there are number of cases pending against him under NDPS Act. Considering the above facts, the petitioner is not entitled for bail.

In result, this anticipatory bail petition is dismissed.

Pronounced by me in open Court on this the 28th day of May 2024.

**Vacation Sessions Judge,
Theni.**

Copy to:

The Judicial Magistrate, Periyakulam.