



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 08/07/2019

PRESENT

**The Hon'ble Mr.Justice P.RAJAMANICKAM**

**CRL OP(MD) . No.9214 of 2019**

T.Thirumavalavan,,

... Petitioner/Accused No.4

Vs

State through  
The Inspector of Police,,  
Keeelavalavu Police Station,  
Madurai District.  
(In Crime No.163 of 2019).

... Respondent/Complainant

For Petitioner : M/s.Dr.K.Malathi,  
Advocate.

For Respondent : Mr.V.Neelakandan,  
Additional Public Prosecutor

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

PRAYER :-

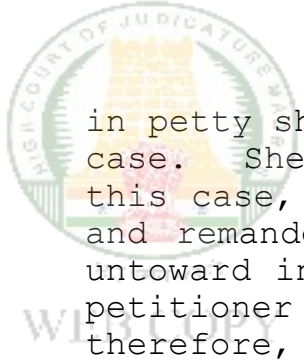
For Anticipatory Bail in Crime No.163 of 2019 on the file of the respondent Police.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 147, 148, 341, 294(b), 323, 324, 506(ii) and 307 of IPC and Section 3(1) of TN Public Property (Prevention of Damage and Loss) Act, 1992, altered into under Sections 147, 148, 341, 294(b), 323, 324, 506(i), 307 and 302 of IPC and Section 3 (1) of TamilNadu Public Property (Prevention of Damage and Loss) Act, 1992, in crime No.163 of 2019, seeks anticipatory bail.

2.Heard both sides.

3.The learned counsel appearing for the petitioner has submitted that on the date of occurrence the petitioner was working



in petty shop at chennai and he has not at all involved in the above case. She further submitted that there are totally 17 accused in this case, except A4, A6, A9 and A1, all the accused were arrested and remanded to judicial custody. She further submitted that some untoward incident has taken place during the temple festival, the petitioner has been falsely implicated in the above case and therefore, she prayed for grant of anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor has submitted that during the temple festival there are totally 20 accused persons unlawfully assembled and attacked the three persons and one person died. He further submitted that the custodial interrogation of the petitioner is absolutely necessary. Therefore, he strongly opposed this petition.

5.In the FIR itself the name of the petitioner has been mentioned. As per the FIR, the petitioner herein also attacked one of the injured persons with wooden log. Taking into consideration the said fact and also the submission made by the learned Additional Public Prosecutor that the custodial interrogation of the petitioner is absolutely necessary, this Court is not inclined to grant anticipatory to the petitioner.

6.Accordingly, this criminal original petition is dismissed.

sd/-  
08/07/2019

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

TO

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

+1 CC to M/s.K.MALATHI, Advocate ( SR-11257[I] dated 08/07/2019 )

ORDER  
IN  
CRL OP(MD) No.9214 of 2019  
Date :08/07/2019