



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 23.08.2021

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.5120 of 2021 &

CRL MP(MD). No.3423 of 2021

WEB COPY

1.Muthu
2.Durkeshwaran

... Petitioner/Accused No.1 & 5

Vs

State through
The Sub Inspector of Police,
District Crime Branch,
Madurai District.
(Crime No.4 of 2021).

... Respondent/Complainant

For Petitioners	: Mr.S.Mahendrapathy, Advocate.
For Respondent	: Mr.T.Senthilkumar, Government Advocate (Crl.Side)
For Intervenor	: Mr.R.Gandhi, Advocate.

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

PRAYER:-

For Anticipatory Bail in Crime No.4 of 2021 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 120(b), 420, 465, 466, 467, 468, 471, 294(b) and 506(2) in Crime No.4 of 2021, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant is in possession and enjoyment of the ancestral property. The first petitioner asked pathway towards the east side and the same was objected to by the defacto complainant. Therefore, the first petitioner hand in glove with other accused fabricated the documents and threatened the defacto complainant to vacate the land belonging to him. Hence, the complaint.

3.The learned counsel for the petitioners submits that the petitioners are innocent persons and they are falsely implicated in this case.



4.The learned Government Advocate (Criminal Side), strongly opposed for grant of anticipatory bail and submitted that custodial interrogation is absolutely necessary in this case to find out who are all responsible for the commission of offence.

5.Considering the nature of offence and the submissions of the learned Government Advocate (Criminal Side), this Criminal Original Petition is dismissed. Consequently, the connected Miscellaneous Petition is closed.

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/ /2021

Sub Assistant Registrar(CS III)

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1.The Sub Inspector of Police,
District Crime Branch,
Madurai District.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1CC to Mr.R.Gandhi, Advocate (SR-5633 Dated 24/08/2021)

CRL OP(MD) No.5120 of 2021

Date : 23.08.2021

RS/SKN/SAR3 (08.09.2021) 2P 4C