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

Date : 08/07/2021

PRESENT

The Hon'ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD)No.9034 of 2021

Satheeshkumar ... Petitioner/Accused No.1

Vs

The State Rep. by,
The Inspector of Police,
Keelasevalpatti Police Station,
Sivagangai.
Crime.No.59 of 2021. ... Respondent/Complainant

For Petitioner : Mr.V.Vishnu,
Advocate.
For Respondent : Mr.M.Muthumanikkam,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory bail in Crime No.59 of 2021 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 alleged offences punishable under Sections 294(b), 323, 363 & 506(ii)IPC in Crime No.59 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that on 15.06.2021, at about 04.00 pm., the defacto complainant and his friends were going to take bath near Vrimathi to Eraniel Road, Satheeshkumar, Azhagu Karthik under the influence of alcohol, beating Sriramkumar, Saravana and Naveenkumar. The defacto complainant and Thamaraiselvem, who was accompanying with the defacto complainant, asked as to why they were beating them, the accused told them that they will beat as their like and why they questioned them. Then, they forcibly took the defacto complainant and the said Thamaraiselvam in the car by showing gun, they threatened them that they would kill them. Thereafter, they left them near Kalluvayal. Hence, the complaint.

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3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case.

4.The learned Government Advocate(Crl.side) appearing for the respondent police opposed this petition on the ground that investigation is not completed and the petitioner has one previous case in Cr.No.120 of 2017 under Sections 294(b), 323, 341, 506(i) IPC and Sections 3(1)(r), 3(1)(s), 3(2) SC/ST Act.

5.Narration of facts show that the petitioner along with other accused said to have beaten three persons. When that was questioned by the defacto complainant and his friend, the accused attacked them and threatened them by showing gun. Gun culture is not known to Tamil Nadu and it has to be nibbed at bud. It is also seen that the petitioner has one previous case. Therefore, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this criminal original petition is dismissed.

sd/-
08/07/2021

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/ /2021

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

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 INSPECTOR OF POLICE,
   KEELASEVALPATTI POLICE STATION,
   SIVAGANGAI,

2. THE ADDITIONAL PUBLIC PROSECUTOR,
   MADURAI BENCH OF MADRAS HIGH COURT,
   MADURAI.

ORDER
IN
CRL OP(MD) No.9034 of 2021
Date :08/07/2021

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GNS
USK/JC/SAR-III : 15/07/2021 : 2P/3C