



WEB COPY

CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 30/09/2022
PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD) . No.17509 of 2022

Ganesan

... Petitioner/Accused No.5

Vs

The State rep.by
The Inspector of Police,
Kovilpatti East Police Station,
Thoothukudi District.
Crime No.435 of 2022.

... Respondent/Complainant

For Petitioner : M/s.PRABU M
For Respondent : Mr.M.MUTHUMANIKKAM,
Government Advocate (Crl.Side)

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

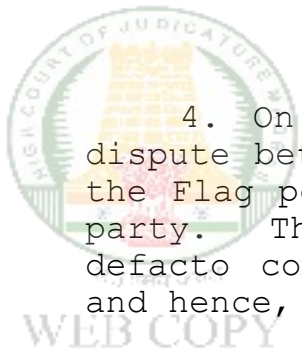
PRAYER :- For Anticipatory Bail in Crime No.435 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 148, 294(b), 324, 307, 427 & 506(ii) I.P.C and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, in Crime No.435 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 25.09.2022 at night, the accused persons caused damage to the BJP Flag post. Due to political dispute, on 26.09.2022 at about 05.15PM, the accused persons threatened the defacto complainant for withdrawing the case, abused in filthy language, assaulted and threatened with aruval. Hence, the complaint.

3. On the side of the petitioner, it is stated that the petitioner is innocent and he had not committed any such offence, as alleged by the prosecution. Due to political motive, this false case was foisted against him. He is no way connected with the offence. Hence, prays to release him on anticipatory bail.



4. On the side of prosecution, it is stated that there is a dispute between two political parties and the accused persons damaged the Flag post, which belongs to the defacto complainant's political party. Though the injured was discharged from the hospital, the defacto complainant was assaulted by the accused persons brutally and hence, prayed to dismiss the petition.

5. Considering the gravity of the offence, the overt act attributed against the petitioner and the nature of grievous injury, this Court is not inclined to grant anticipatory bail to him.

6. Accordingly, this Criminal Original Petition stands dismissed.

sd/-

30/09/2022

/ TRUE COPY /

/10/2022

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

TO

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

ORDER

IN

CRL OP(MD) No.17509 of 2022

Date : 30/09/2022

PNM

SA/VR/SAR. /10.10.2022/2P/3C