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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02/11/2022

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD) . No.19336 of 2022

Ajay

... Petitioner/Accused
Rank Not Known

Vs.

State rep.by
The Inspector of Police,
Paramakudi Town Police Station,
Ramanathapuram District.
(Crime No.590/2021).

... Respondent/Complainant

For Petitioner : Mr.G.Vishnuram, Advocate.

For Respondent : Mr.P.Kottaichamy,
Government Advocate(Criminal Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.590 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 341, 147, 148, 294(b), 324, 307 and 120B of IPC and Section 3 of Tamil Nadu Public Property (Prevention of Damage and Loss) Act, 1992 @ Sections 341, 147, 148, 294(b), 324, 307, 120(b) of IPC r/w 3 of TNPPDL Act and 302 IPC, in Crime No.590 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 10.12.2021, when the de-facto complainant and five others were returning from Ramanathapuram Sessions Court after reporting their appearance, the



petitioner and other accused had taken revenge of murder of Manikandan in the year 2019, attacked the de-facto complainant and other victims, namely, Alagumurugan and Palani. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. He would further submit that the respondent Police after completing the investigation, has filed the charge sheet before the jurisdictional Court and the case is yet to be taken on file.

4.The learned Government Advocate (Criminal side) appearing for the respondent police would submit that they have already filed the charge sheet, deleting the four accused and hence, the jurisdictional Court has already issued notice to the defacto complainant and the case stand posted to 08.11.2022. He would further submit that it is a retaliation murder, that there was a specific overt act against the petitioner herein and he was very much available in the occurrence.

5.Considering the seriousness and gravity of the offence alleged, this Court is not inclined to grant anticipatory bail to the petitioner.

6.Accordingly, this Criminal Original Petition is dismissed.

Sd/-
02/11/2022

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/11/2022
Sub-Assistant Registrar (C.S.I)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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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.



1. THE INSPECTOR OF POLICE,
PARAMAKUDI TOWN POLICE STATION,
RAMANATHAPURAM DISTRICT.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP (MD) No.19336 of 2022
Date : 02/11/2022

SP/SSS/SAR I/04/11/2022/3P/3C