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CRL OP(MD). N



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

Date : 11/11/2022

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN
CRL OP(MD). No.20032 of 2022

Muniyandi Samy

... Petitioner/Accused Rank Not Known

Vs

The State Rep.by
The Inspector of Police,
Sivagangai Town Police Station,
Sivagangai District.
Crime No.279 of 2022.

... Respondent/Complainant

For Petitioner : M/s.Haroon Rasheed D.S.,
Advocate.

For Respondent : Mr.E.Antony Sahaya Prabahar,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.279 of 2022 on the file of
the Respondent Police.

ORDER : The Court made the following order :-

The petitioner apprehending arrest at the hands of the
respondent police for the offences punishable under sections 147,
148, 294(b), 342, 307, 302 and 506(ii) IPC in Crime No.279 of 2022
on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that due to previous enmity,
the petitioner and other accused persons unlawfully assembled with
deadly weapon and abused the defacto complainant and his brother
and assaulted them with sword with an intention to murder, in which
the defacto complainant was sustained greivous injury and his
brother was died. Hence, the compliant.

3. The learned counsel appearing for the petitioner would
submit that the petitioner is innocent and he has not committed any
offence as alleged by the prosecution and his name has been falsely
implicated in this case.



4. The learned Government Advocate (Crl. Side) appearing for the respondent would submit that totally 11 accused involved in this case and it is a case of murder. He would further submit that this accused person repeatedly cut the deceased by using sword and the another accused attacked one Murugan. He would further submit that the investigation was completed and the charge sheet has been filed and the same was taken on file as PRC.No.35 of 2021 on the file of the learned Judicial Magistrate, Sivagangai. However, considering the gravity of offence, he strongly opposed to grant anticipatory bail to the petitioner.

5. Considering the submission made by the learned Government Advocate (Crl. Side) appearing for the respondent and also considering the specific overt act attributed against the the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

sd/-

11/11/2022

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/11/2022

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

TRP

TO

1. The Inspector of Police,
Sivagangai Town Police Station,
Sivagangai District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER

IN

CRL OP(MD) No.20032 of 2022

Date :11/11/2022

RD/SSS/SAR-II (23/11/2022) 2P 3C