



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/11/2022

WEB COPY

PRESENT

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

CRL OP(MD). No.20727 of 2022

M.Prasanna,

... Petitioner/Accused No.3

Vs

State Rep.by
The Inspector of Police,
Vikkaramangalam Police Station,
Madurai District.
Cr.No.134/2022.

... Respondent/Complainant

For Petitioner : M/s.Sathish Kumar K, Advocate.

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

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

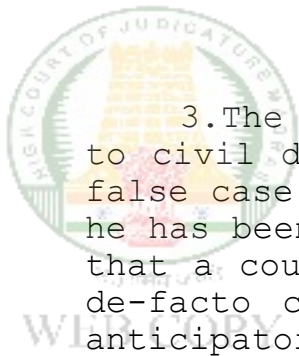
PRAYER :-

For Anticipatory Bail in Crime No.134/2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/A3, who apprehends arrest at the hands of the respondent police for the offence under Sections 294(b), 323, 324, 302 and 506(ii) IPC in Crime No.134 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that there is a dispute between the parents of the de-facto complainant and A1 and A2 with regard to partition of the property. Due to which, on 07.10.2022, the petitioner along with other accused abused the de-facto complainant's father in filthy language and attacked him with deadly weapons and also caused grievous injury to the de-facto complainant's father. As a result, he succumbed to the injury. Hence, the complaint.



3.The learned counsel for the petitioner would submit that a civil dispute between the de-facto complainant and A1 and A2, a false case was foisted against the petitioner and he is innocent and he has been falsely implicated in this case. He would further submit that a counter case in Crime No.133 of 2022 is pending against the de-facto complainant and his family members. Hence, he prays for anticipatory bail.

4.The learned Additional Public Prosecutor would submit that totally three named accused and one unnamed accused involved in this case and the petitioner is arrayed as A3. Due to property dispute between the parties, on 07.10.2022, there was a wordy quarrel between them, in which, all the accused attacked the de-facto complainant's father with deadly weapons and also caused grievous injury to the de-facto complainant's father and as a result, he succumbed to the injury. He would further submit that the allegation against the petitioner is very serious in nature and the investigation is still pending and the custodial interrogation of the petitioner is very much necessary in this case. Hence, he prayed for dismissal of this petition.

5.Considering the seriousness and gravity of the offence and also considering the fact that there is a specific overt act attributed against the petitioner and the investigation is still pending and the custodial interrogation of the petitioner is very much necessary in this case, this Court is not inclined to grant anticipatory bail to the petitioner.

6.Accordingly, this Criminal Original Petition is dismissed.

sd/-

25/11/2022

/ TRUE COPY /

/12/2022

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

TO

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

ORDER

IN

CRL OP(MD) No.20727 of 2022

Date :25/11/2022

sjj

PKP/BUC/SAR-4/07.12.2022/2P/3C

<https://www.mhc.tn.gov.in/judis>