



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23/12/2022

PRESENT

WEB COPY

The Hon`ble Mr.Justice A.D.JAGADISH CHANDIRA

CRL OP(MD). No.23024 of 2022

M.Prasanna

... Petitioner/Accused No.3

Vs

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

... Respondent/Complainant

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

For Respondent : Mr.M.Veeranthiran,
Government Advocate (Crl.Side)

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

PRAYER :-For Anticipatory Bail in Crime No.134 of 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 injuries. Hence the case came to be registered.

3.The learned counsel for the petitioner would submit that due to 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

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



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 Government Advocate(Crl.Side) would submit that this is the second anticipatory bail petition and the earlier petition was dismissed by this Court on 25.11.2022 in Crl.O.P(MD) No.20727 of 2022. He further submitted that there is a specific overt act that the petitioner has assaulted the victim on his chest.

5. Taking into consideration the fact that there is no change in facts and circumstances of the case, this Court is not inclined to grant anticipatory bail to the petitioner.

6. In the result, the Criminal Original Petition stands dismissed.

sd/-
23/12/2022

/ TRUE COPY /

/01/2023
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.23024 of 2022
Date :23/12/2022

AAV
MK/MMS/SAR III/03.01.2023/2P/3C