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Crl.O.P.No.15142 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.08.2023

CORAM

THE HONOURABLE MR. JUSTICE RMT.TEEKAA RAMAN

Crl.OP.No.15142 of 2023

Murali, M/A-41
S/o.Munusamy
No.13, Theru Veethi Amman Koil
1st Street, Porur
Chennai 600 116.

... Petitioner

Vs.

1.State,
Rep. by its Inspector of Police,
SRMC Police Station,
Porur (Crime No.429 of 2023)

2.Gokul @ Gokulnath, M/28
S/o.Thiyagu
No.27/1, Kathpada 4th Street
Basin Bridge
Washermenpet

3.Pavinraj @ Pavunraj M/25
S/o.Babu
No.13, Thiruveedhi Amman Kovil 1st Street
Porur, Chennai 600 116.

... Respondents

Prayer: Petition filed under Section 439 (2) of Cr.P.C., to cancel the
Anticipatory Bail granted in Crl.MP.No.2601 of 2023 dated 20.06.2023 on the
file of the Principal District and Sessions Judge, Thiruvallur.



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For Petitioner

: Mr.S.Marshall

For Respondents

: Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl. Side)

ORDER

This Petition has been filed to cancel the Anticipatory bail granted in Crl.MP.No.2601 of 2023 dated 20.06.2023 on the file of the learned Principal District and Sessions Judge, Thiruvallur.

2.Learned counsel for the Petitioner would contend that the Petitioner is the Defacto Complainant and he parked his vehicle in front of his house and the Accused asked him and his father to take the vehicle by using filthy language, which leads to attack. When the Accused approached the Court below, the learned Principal District and Sessions Judge, Thiruvallur granted anticipatory bail to the Accused. Hence this Petition.

3.Learned Government Advocate (Crl. Side) would submit that there is a dispute between the parties with regard to common passage.

4.Heard the learned counsel for the Petitioner and the learned Government Advocate (Crl. Side).

5.The Petitioner's claim is that the place where he parked his vehicle is belonging to him, whereas the Accused plea is that they have right over the place. Since the injured discharged from the hospital, the learned Principal



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District and Sessions Judge at Tiruvallur has rightly granted anticipatory bail to the Accused and hence the order passed by the learned Principal District and Sessions Judge at Tiruvallur in CrI.MP.No.2601 of 2023 dated 20.06.2023 does not call for interference of this Court.

6.Accordingly, this Petition is dismissed.

16.08.2023

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Index : Yes/No
Neutral citation : Yes/No
Speaking Order/Non-Speaking Order

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To

1.The Principal District and Sessions Judge,
Thiruvallur.

2.The Public Prosecutor,
High Court, Chennai.



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RMT.TEEKAA RAMAN, J.

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