



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.01.2023

CORAM

THE HON'BLE MR.JUSTICE A.D.JAGADISH CHANDIRA

CRL.O.P (MD) No.1083 of 2023

Kuttaru @ Muthupandi @ Muthu

... Petitioner/Accused No.3

-vs-

State Rep.by
The Inspector of Police,
Manamadurai Police Station,
Sivagangai District
(Crime NO.416 of 2022)

... Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 438 of Cr.P.C, praying for anticipatory bail to the petitioner in Crime No.416 of 2022.

For Petitioner	: Mr.N.Muthuvelsamy, Advocate
For Respondent	: Mr.T.Senthil Kumar Additional Public Prosecutor

O R D E R

The petitioner, who apprehends arrest at the hands of the respondent Police for the offences punishable under Sections 147, 148, 294(b), 323, 324, 447, 427, 506(ii) and 307 IPC in Crime No.416 of 2022 on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution, as per the de-facto complainant is that there existed previous enmity between the parties, due to which, the accused attacked the defacto complainant and abused him in filthy language and at that time, the first accused has taken away 16 sovereigns of gold jewels from the defacto complainant's sister and thereafter, the accused persons trespassed into the defacto complainant's house and damaged windows and doors worth about Rs.50,000/-. Hence, the complaint.

3.The learned Counsel for the petitioner would submit that the petitioner is an innocent and he has been falsely implicated in this case. He would also submit that co-accused have been arrested and subsequently, they have been released on bail by this Court in Crl.O.P(MD)No.23255 of 2022 by order dated 28.12.2022 and 936 of 2023 by order dated 19.01.2023. He prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.side) would submit that the petitioner is arrayed as third accused in this case and he is having 3 previous cases to his credit. He would oppose for grant of anticipatory bail to the petitioner.



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CRL.O.P(MD)



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5.Taking into consideration the bad antecedent of the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner. Hence, this petition is dismissed.

sd/-

20/01/2023

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/02/2023

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

CM

To

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

ORDER

IN

CRL OP(MD) No.1083 of 2023

Date :20/01/2023

RS/SSS/SAR.4(02.02.2023) 2P-3C