



CRL OP(MD)No.12489 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 10.07.2023

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN

CRL OP(MD)No.12489 of 2023

Pandian

... Petitioner/ Accused No.2

Vs

The State rep.by,  
The Inspector of Police,  
Aravayal Police Station,  
Sivagangai District.  
(Crime No.22 of 2021)

... Respondent/ Complainant

For Petitioner : Mr.K.Rajeshwaran, Advocate

For Respondent : Mr.B.Nambiselvan,  
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.22 of 2021 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

The petitioner, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 420, 468, 471, 294(b) and 506(i) IPC in Crime No.22 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the the petitioner and his father sold lands to the extent of 13 cents to A1, in the year 2005 and she constructed a house in 3 cents and the defacto complainant came to know about the same on 23.09.2019, while he went to survey the land. When the defacto complainant questioned about the same, the accused persons threatened and abused the defacto complainant. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case.

4.The learned Additional Public Prosecutor appearing for the respondent police submitted that the petitioner is arrayed as A2 in this case. In an earlier occasion, this



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Court granted interim protection with a condition that the petitioner should appear before the respondent police and produce the relevant documents to prove his title. However, he did not appear and produce any documents and hence, the earlier petition was dismissed on 18.08.2021. Hence, this petition is liable to be dismissed.

5.At this juncture, the learned counsel appearing for the petitioner for the petitioner submitted that there was communication gap between the petitioner and his advocate and hence, he did not know about the earlier order.

6.It is seen that earlier the petitioner filed a petition and interim protection was also granted with a condition that the petitioner should appear before the respondent police and produce relevant documents and the same was not complied with and hence, this Court dismissed the application on 18.08.2021. After a lapse of two years, the petitioner filed the present petition on the ground that there was communication gap between the petitioner and his advocate. The same is unbelievable. For the past two years the petitioner has not taken any steps to know about the pendency of the petition.



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7. In view of the above, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this criminal original petition is dismissed, without going into the merits of the case.

sd/-  
10/07/2023

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/ 07/2023

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

gns

TO

1 THE INSPECTOR OF POLICE  
ARAVAYAL POLICE STATION,  
SIVAGANGAI DISTRICT.

2 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI.

ORDER  
IN  
CRL OP(MD) No.12489 of 2023  
Date :10/07/2023

RK /BUC(28/07/2023) 4P / 3C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023