



CRL OP(MD). No.12991 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.12991 of 2023

1.R.Karuppusamy
2.R.Sithiravel
3.Muniyasamy

... Petitioners / Accused No.1,2,5

Vs

State represented by
The Inspector of Police,
Parthipanur Police Station,
Parthibanur,
Ramanathapuram District.
(In Crime No.147 of 2015)

... Respondent/Complainant

For Petitioners : M/s.M.Manikandan, 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.147 of 2015 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner / Accused Nos.1, 2 and 5, apprehending arrest at the hands of

the respondent police for the alleged offence punishable under Sections 147, 148,



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294(b), 323, 324 and 506(ii) of IPC, and Section 307 of IPC in Crime No.147 of 2015 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that there was a dispute between the petitioner and the defacto complainant regarding watering their agricultural land. On the date of occurrence, for the same issue, the petitioner had threatened the defacto complainant with dire consequences, when he was working in his field. Hence the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have not committed any offence as alleged by the prosecution. They have been falsely implicated in this case. Therefore, seek for the relief of anticipatory bail.

4. The learned Additional Public Prosecutor would submit that earlier Crl.O.P. (MD)No.23255 of 2015 was filed before this Court in respect of this crime number, seeking anticipatory bail along with the co-accused. They were granted anticipatory bail, ofcourse with some conditions. But the conditions were not complied by the petitioners and therefore, seeking the same relief of anticipatory bail, this second petition came to be filed.

5. Having obtained anticipatory bail order, the petitioners have not complied the conditions. Without complying the conditions, they were very much silent for



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eight years and filed this second application before this Court which is a clear abuse of process of the Court. This sort of attitude cannot be encouraged.

6. This Criminal Original Petition is dismissed. The petitioners shall surrender either before the respondent police or before the concerned Court seek regular bail.

sd/-
18/07/2023

/ TRUE COPY /

/07/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNN
TO
1 THE INSPECTOR OF POLICE,
PARTHIPANUR POLICE STATION,
PARTHIBANUR,
RAMANATHAPURAM DISTRICT.

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

+1. CC to M/S.MANIKANDAN.M Advocate SR.No.10870

ORDER
IN
CRL OP(MD) No.12991 of 2023
Date :18/07/2023

SA/MMS/SAR. /28.07.2023/3P/4C
Madurai Bench of Madras High Court is issuing
certified copies in this format from 17/07/2023.