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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 21/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.13309 of 2023

Arumugapandi

... Petitioner/ Accused No.2

Vs

The State represented by
The Inspector of Police,
Kovilpatti East Police Station,
Thoothukudi District
Crime No.226/2023.

... Respondent/Complainant

For Petitioner : M/s.Prabu.M, Advocate

For Respondent : Mr.R.Suresh Kumar,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.226 of 2023 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioner/ Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 448, 294(b), 323, 506(ii) I.P.C, in Crime No.226 of 2023, on the file of the respondent police, seeks anticipatory



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2. The case of the prosecution is that on 11.07.2023 at about 10.00a.m., the first accused came to the vegetable shop run by the defacto complainant and picked up quarrel with him and assaulted him. Later, the first accused gathered his village people and trespassed into the shop of the defacto complainant and caused damages to the articles in the shop. Hence, the complaint has been registered against five persons.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case. There is no specific overt act against the petitioner. As per FIR, only four unknown persons trespassed into the shop and committed the offence.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that the petitioner along with other accused had trespassed, assaulted and caused damages to the articles in the shop. The petitioner is having six previous cases, among which, one case was registered for the offence under Section 302 IPC. Hence, prays to dismiss the petition.

5. Though there is no specific overt act attributed against the petitioner,

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

considering the fact that the petitioner is having six previous cases and bad



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antecedents of the petitioner, this Court is not inclined to grant anticipatory bail to him. Accordingly, this Criminal Original Petition stands dismissed.

sd/-
21/07/2023

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/07/2023

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

pnm

TO

- 1 THE INSPECTOR OF POLICE
KOVILPATTI EAST POLICE STATION,
THOOTHUKUDI DISTRICT
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.13309 of 2023
Date :21/07/2023

SS/MR/29/07/2023/3P/3C

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