



CRL OP(MD). No.13561 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) No.13561 of 2023

SHANMUGAM @ SHANMUGAPANDI

... PETITIONER / ACCUSED No.1

Vs

THE STATE REP BY,
THE INSPECTOR OF POLICE
VEERACHOLAN POLICE STATION,
VIRUDHUNAGAR DISTRICT.
CRIME NO.28 OF 2023.

... RESPONDENT / COMPLAINANT

RAJIVGANDHI

... INTERVENER/DE-FACTO COMPLAINANT
IN CRL MP(MD).13343/2023 IN CRL OP(MD).13561/2023

For Petitioner	:	M/S.SATHISHKUMAR K, Advocate
For Respondent	:	MR.S.MANIKANDAN, Govt. Advocate (Crl. Side)
For Intervenor	:	MR.R.RAJESH, Advocate

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

PRAYER :

FOR ANTICIPATORY BAIL IN CRIME NO.28 OF 2023 ON THE FILE OF THE
RESPONDENT POLICE.

ORDER : The Court Made the following order :-



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The petitioner/Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 143, 323, 294(b), 341, 379 and 506(ii) of IPC, in Crime No.28 of 2023, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 01.06.2023, during the festival in the village, a cultural event took place. At that time, some of the persons belonging to PP Yendhal village, created trouble that was pacified by the elders. Again on 03.06.2023, the above said persons gathered. Again on 05.06.2023, they created trouble and caused assault to the defacto complainant also took away a sum of Rs.1 Lakh in the process. Based on the incident, a complaint was registered. Seeking anticipatory bail this petition has been filed.

3. During the course of hearing, the petitioner was directed to appear before the respondent, so also the defacto complainant. Their statements were recorded with respect to the missing of Rs.1 Lakh. A report was also received stating that during the course of investigation, the defacto complainant did not give any particulars with regard to the money. That was a utter false statement on the side of the defacto complainant. Eventhough learned counsel for the defacto complainant made objection for the findings. I find no reason to believe the statement of the defacto complainant in the FIR. The interim anticipatory bail granted to the petitioner is



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made absolute. The petitioner is directed to appear before the respondent police

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daily at 10.30 a.m., until further orders.

sd/-

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/10/2023

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

pnn
TO

1 THE JUDICIAL MAGISTRATE, THIRUCHULI, VIRUDHUNAGAR DISTRICT.

2 DO THROUGH: THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT @ SRIVILLIPUTHUR.

3 THE INSPECTOR OF POLICE, VEERACHOLAN POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

ORDER
IN

CRL OP(MD) No.13561 of 2023

Date :26/09/2023

RS/JGB/SAR-(16.10.2023) 3P 5C

Madurai Bench of Madras High Court is issuing
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