



CRL OP(MD). No.13823 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.13823 of 2023

Murugan @ Murugesan

... Petitioner/Sole Accused

Vs

State Rep.by
The Inspector of Police,
Keeramangalam Police Station,
Pudukkottai District,
Crime No.105/2023.

... Respondent/Complainant

For Petitioner : M/s.Suresh Kannan.C,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.105 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 294(b), 323, 427, 436, 506(ii), in Crime No.105 of 2023, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that on 12.07.2023, while the defacto complainant and her mother were in the house, the accused persons criminally trespassed into the house with wooden log, caused damages to the house hold articles and electronic items and also criminally intimidated them with dire consequences. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner is innocent and not committed any offence, as alleged by the prosecution. There was some sort of land dispute between the parties, over which, a false complaint has been foisted against the petitioner. On the day of occurrence, the petitioner went to the place of occurrence and enquired the defacto complainant. At that time he was assaulted and criminally intimidated by them. The defacto complainant, herself set fire the house. Hence, prays to release him on anticipatory bail.

4.The learned Additional Public Prosecutor submitted that due to land dispute, the occurrence said to have been committed by the accused. He had caused damages to the house hold articles. Hence, prayed to dismiss the petition.

5.Heard the learned counsel appearing on either side and perused the



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materials placed before this Court.

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6. Though the petitioner has stated that the defacto complainant herself assaulted the petitioner and set fire her house, such defence cannot be taken at this stage. Considering the nature of dispute between the parties and nature of overt act attributed against the petitioner, if the petitioner is released on bail, he may tamper the material witness and hamper the investigation. Hence, this Court is not inclined to allow the petition.

7. Accordingly, this Criminal Original Petition stands dismissed.

sd/-
28/07/2023

/ TRUE COPY /

/08/2023

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

PNM
TO

1 THE INSPECTOR OF POLICE
KEERAMANGALAM POLICE STATION,
PUDUKKOTTAI DISTRICT,



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

ORDER
IN
CRL OP(MD) No.13823 of 2023
Date :28/07/2023

PKP/DD/SAR- /05.08.2023/ 4P/ 3C

Madurai Bench of Madras High Court is issuing certified
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