



CRL OP(MD). No.13883 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.13883 of 2023

Kamaraj

... Petitioner/ Accused-1

Vs

State Rep.by
The Inspector of Police,
Thenkarai Police Station,
Theni District.
(Crime No.257 of 2023).

... Respondent/ Complainant

For Petitioner : M/s.Anandan.K, 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.257 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/accused who apprehends arrest at the hands of the respondent police for the offences punishable under sections 341, 294(b), 353 & 506(ii) of I.P.C., in

Crime No. 257 of 2023 on the file of the respondent police, seeks anticipatory bail.

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



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2.The case of the prosecution as per the defacto complainant's version is that when he was working in the police station on 02.07.2023 at about 2.30 p.m., he was informed by the control unit that quarrel occurs in Palamman Koil Street. He along with police team went to the place of occurrence. He made enquiry with the accused person. They picked up quarrel with them and intercepted and prevented them entering into the Village. They also criminally intimidated. They also tried to assault with aruval. On that basis, case was registered.

3.Seeking anticipatory bail, this petition has been filed. Knowing that the defacto complainant is a Police Officer, with whom this petitioner is alleged to have picked up quarrel. He was directed to present before this Court in person, so also the defacto complainant and Sub Inspector of Police. On enquiry, the defacto complainant repeated the very same allegations. But the petitioner stated that without any reason the defacto complainant assaulted them. Because of the above said assault only he objected. Nothing happened as mentioned by the defacto complainant. But, absolutely, this explanation given by this petitioner is not acceptable. It appears that in a drunken mode by this petitioner along with other accused, they picked up quarrel with police official, who went to the place of occurrence to enquire about the quarrel in that area. So interfering or intercepting the police official from doing their duty is serious offence. So even though the counsel for



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the petitioner would submit that the petitioner is ready to file an undertaking affidavit, taking into the above said facts and circumstances, this Court is not inclined to grant anticipatory bail to the petitioner.

4. Accordingly, this criminal original petition stands dismissed.

sd/-
08/08/2023

/ TRUE COPY /

/09/2023

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

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TO

1 THE INSPECTOR OF POLICE
THENKARAI POLICE STATION, THENI DISTRICT.

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

ORDER
IN

CRL OP(MD) No.13883 of 2023
Date :08/08/2023

RS/DD/SAR-(11.09.2023) 3P 3C
Madurai Bench of Madras High Court is issuing
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