



CRL OP(MD). No.14090 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.14090 of 2023

Suresh

... Petitioner / Accused No.12

Vs

State represented by
The Inspector of Police,
Thalaiyuthu Police Station,
Tirunelveli District,
Crime No. 227 of 2021.

... Respondent/Complainant

For Petitioner : M/s.K.Ramar, 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.227 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused No.12, is apprehending arrest at the hands of the respondent police, for the alleged offence punishable under Sections 147, 148 and 302

of IPC, in Crime No. 227 of 2021, on the file of the respondent police, seeks

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



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anticipatory bail.

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2. The case of the prosecution is that the defacto complainant's son was murdered by this petitioner and he was arrested. By an order dated 29.10.2021, in Cr.M.P.No.7285 of 2021, the petitioner was granted bail by the learned Principal Sessions Judge, Tirunelveli, subject to the conditions that the petitioner shall appear before the respondent police daily twice at 10.30 a.m., and 06.00 p.m., until further orders. The petitioner was released from the judicial custody on 03.11.2021. later, Cr.M.P.No.8393 of 2021 was filed by the prosecution seeking cancellation of the bail granted to the petitioner. Vide order dated 03.11.2021, the bail granted to the petitioner was cancelled by the learned Principal Sessions Judge, Tirunelveli. Thereafter, the petitioner stated to have threatened the prosecution witness. After cancellation of the bail order granted to the petitioner, seeking anticipatory bail this criminal original petition came to be filed.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent, he has not committed any offence as alleged by the prosecution. He has not threatened any witnesses. False allegations have been made against him.

4. The learned counsel for the defacto complainant would submit that the petitioner is not secured by the respondent police till date.



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5. Considering the facts and circumstances of this case, even after cancellation of bail order, the petitioner seeks anticipatory bail which cannot be granted.

6. Accordingly, this Criminal Original Petition stands dismissed.

sd/-
02/08/2023

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/08/2023

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

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To

1 THE INSPECTOR OF POLICE
THALAIYUTHU POLICE STATION, TIRUNELVELI DISTRICT.

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

ORDER
IN

CRL OP(MD) No.14090 of 2023

Date :02/08/2023

RS/VRS/SAR-(17.08.2023) 3P 3C
Madurai Bench of Madras High Court is issuing
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