



CRL MP(MD) No.12473 of 2023

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

Wednesday, the Thirtieth day of August Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL MP(MD) No.12473 of 2023

IN

CRL OP(MD) No.11898 of 2023

SURESHKUMAR

... PETITIONER/3rd PETITIONER

Vs

THE STATE REP BY,
THE INSPECTOR OF POLICE
KUMBAKONAM EAST POLICE STATION,
THANJAVUR DISTRICT.
CRIME NO.167 OF 2019.

... RESPONDENT/RESPONDENT

Criminal Miscellaneous Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to clarify whether the direction of this Honble Court in Crl.O.P.(MD)No.11898 of 2023 dated 30.06.2023 para 8(iv) includes that of the petitioner as well as.

Order : This Criminal Miscellaneous Petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of MR.V.PRAKASH, Senior Advocate for M/S.JAYASUDHA.K, Advocate for the petitioner and of MR.K.SANJAY GANDHI, Government Advocate (Criminal Side) on behalf of the Respondent, the court made the following order:-

The petitioner filed this petition to clarify the order dated 30.06.2023 passed by

this Court in Crl.O.P.(MD)No.11898 of 2023, thereby dismissing the application filed

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



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by him for anticipatory bail and also issued direction to the respondent to alter the offence under Section 302 of IPC and other offences.

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2. The learned Senior Counsel appearing for the petitioner submitted that while dismissing the anticipatory bail petition, the inquest report was not properly brought to the notice of the Court. The petitioner was at only additional charge of Kumbakonam Sub Jail and he was not in full in-charge. Further he was not present at the sub jail on the date of occurrence. He also produced the inquest report dated 20.09.2019 before this Court.

3. Considering the above submission, it is clarified that whatever the observations made by this Court did not prevent the petitioner to file the second anticipatory bail petition. It is also made clear that the observations made by this Court are not specific to the petitioner.

4. Accordingly, the Criminal Miscellaneous Petition stands disposed of.

sd/-
30/08/2023

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/09/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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RTS
TO
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- 1 THE JUDICIAL MAGISTRATE NO.III
THANJAVUR.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT @ KUMBAKONAM.
- 3 THE DIRECTOR OF INSPECTOR
GENERAL PRISON, TRICHY.
- 4 THE INSPECTOR OF POLICE
KUMBAKONAM EAST POLICE STATION,
THANJAVUR DISTRICT.
- 5 THE SUPERINTENDENT OF POLICE
THANJAVUR DISTRICT.
- 6 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL MP(MD) No.12473 of 2023
IN
CRL OP(MD) No.11898 of 2023
Date :30/08/2023

PKP/VRS/SAR- /07.09.2023/ 3P/7 C

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