



CRL OP(MD). No.14935 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17/08/2023

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.14935 of 2023

1.Ilayaraja
2.Vairamoorthi

... Petitioners/ Accused No.1 and 2

Vs

State, represented by
The Inspector of Police,
Kumbakonam East Police Station,
Thanjavur District.
Crime No.167 of 2019.

... Respondent/Complainant

For Petitioners : Mr.K.Navaneetharaja, 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.167/2019 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/ Accused Nos.1 and 2, apprehending arrest at the hands of the respondent Police for the alleged offence punishable under Sections 176(1A) of



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Cr.P.C. @ 166B, 217, 304(2) and 342 IPC., in Crime No.167 of 2019 on the file of the respondent police, seek anticipatory bail.

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2. The case of the prosecution is that the defacto complainant is the Superintendent of Sub Jail, Kumbakonam. The deceased Saravanan was kept in Jail as remand prisoner and is a drug addict. On 07.06.2019, he was affected with Epilepsy, so immediately, he was admitted in the Government Hospital, Kumbakonam. Subsequently, he was referred to the Thanjavur Medical College Hospital, Thanjavur, where he died. Therefore, the learned Judicial Magistrate No.III, Thanjavur, had conducted inquest and gave findings that the deceased died due to assault made by the Police. Hence, the case has been registered.

3. The learned Additional Public Prosecutor appearing for the respondent police submitted that the alteration report dated 27.07.2023 has been filed altering the offence under Section 166, 166B and 302 IPC and it is also submitted before the trial Court.

4. Recording the submission made by the learned Additional Public Prosecutor that alteration report has been filed before the concerned trial Court on 27.07.2023 and the present petition has been filed without knowing the fact of alteration of offences, this Criminal Original Petition stands dismissed. The petitioner is at liberty to file a fresh application by mentioning the offences as per the alteration report.



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5. In the result, this Criminal Original Petition is dismissed.

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17/08/2023

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

Indu

TO

1 THE INSPECTOR OF POLICE
KUMBAKONAM EAST POLICE STATION,
THANJAVUR DISTRICT.

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

ORDER

IN

CRL OP(MD) No.14935 of 2023

Date :17/08/2023

RS/BUC/SAR-(25.08.2023) 3P 3C
Madurai Bench of Madras High Court is issuing
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