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CRL OP(MD). No.14885 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 16/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.14885 of 2023

Natrayan

... Petitioner/ Accused No.2

Vs

The State, through
The Inspector of Police,
Virudhunagar East Police Station,
Virudhunagar District.
(Crime No.91 of 2023).

... Respondent/ Complainant

For Petitioner : Mr.K.ARUNRAJ,
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.91 of 2023 on the file of the Respondent Police

ORDER : The Court made the following order :-

The petitioner/ Accused No.2, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 148, 307, 353, 450 and 506(ii) of IPC, in Crime No.91 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that as stated by the defacto complainant, one



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Guna and Vignu @ Vignesh were his friends. There was a issue between the above said Guna and one Chinnathambi over salary payment. Over the above said issue the above said Guna was murdered by Chinnathambi and his brother. Over the above said occurrence case was registered. Since Guna was friendly with the defacto complainant, the brother of the Guna were enemical towards them. On 01.03.2023, when they were standing in front of Mettupatti Church, they tried to assault them. The defacto complainant and others escaped. On 02.03.2023, Chinnathambi was murdered, in which the defacto complainant and his friends namely Vignesh, Mahendran, Lidiya Mary and Maria Selvi were included. So he was remanded to judicial custody on 06.03.2023. At the time of remand they were found with injuries. So they were shifted to Government Hospital, Virudhunagar on 22.03.2023. Along with him, the above said Vignesh was also admitted in the hospital and police escort was also provided on 18.02.2023 one Bothu Raju along with other accused persons numbering about 7 persons entered into the hospital with deadly weapons with intention to kill them. At the instigation of Selvam, other accused caused assault and in the above said attempt chilly powder was also thrown on the escort police. They also attempted to kill the escort police. When the police team tried to fire them all the accused escaped from that place.

3.The earlier anticipatory bail application was dismissed by this Court in

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



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CrI.O.P(MD) No.11686 of 2023, dated 04.07.2023. Subsequent to the bail that was granted to the co-accused, this petition has been filed. This petitioner alleged to have entered into the hospital with chilli powder, thrown the same upon the escort party and caused assault to the defacto complainant and other injured persons.

4. Considering the above said gravity of offence and there is no change of circumstance, this Court is not inclined to grant anticipatory bail to the petitioner. Hence, this petition deserves dismissal and accordingly dismissed.

sd/-
16/08/2023

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

INDU
TO
1 THE INSPECTOR OF POLICE,
VIRUDHUNAGAR EAST POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

ORDER IN
CRL OP(MD) No.14885 of 2023
Date :16/08/2023

SA/JGB/SAR. /08.09.2023/3P/3C
Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.