



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.15400 of 2023

S.Suriya Prakash

... Petitioner / Accused/ Rank not known

Vs

State represented by
The Inspector of Police,
Jaihindpuram Police Station,
Madurai City.
In Crime No.414 of 2023.

... Respondent / Complainant

For Petitioner : M/s.M.Sheik Abdullah, Advocate

For Respondent : Mr.S. Manikandan
Government Advocate (Crl.side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.414 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused, apprehending arrest at the hands of the respondent

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police for the alleged offence punishable under Sections 147, 148, 294(b), 323, 324, 506 (ii) of IPC, in Crime No.414 of 2023, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is that on 06.08.2023 at about 6.30 p.m., they talked to each other after having drink. At about 8.30 p.m., the accused persons picked up quarrel and caused assault. One Surya and Suresh by using knife, caused injury upon the defacto complainant. When the neighbours gathered, they went away. Hence the complaint.

3. On the point of mistake of identity, this petition has been filed. Learned counsel for the petitioner would submit that the petitioner's name is S.Suriya Prakash. But in the FIR, the name of the accused is mentioned as Surya. The learned counsel for the petitioner further submitted that the petitioner is innocent and he has been falsely implicated in this case. He has not committed any offence as alleged by the prosecution.

4. Heard learned Government Advocate (Crl. Side) appearing for the respondent. He would submit that the names of the accused and the name of the petitioner have been verified and it is clarified that the petitioner is the accused in the



present case and also the petitioner was presented in the place of occurrence. He further submitted that the petitioner is having two previous cases, one is for petty offences and another one is for the offences under the NDPS Act.

5. Considering the bad antecedents of the petitioner this Court is not inclined to grant relief to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

sd/-
21/09/2023

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/10/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

pnn
TO

1.The Inspector of Police, Jaihindpuram Police Station,
Madurai City.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.15400 of 2023
Date :21/09/2023

SSA/VRS/14.10.2023/3P/3C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023