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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.15435 of 2023

1.Senthil Murugan

2.Kutty @ Rajalingam

... Petitioner/ Accused Nos.3 and 4

Vs

The State, through
The Inspector of Police,
Alangulam Police Station,
Tenkasi District.
(Crime No.234 of 2023).

... Respondent/ Complainant

For Petitioner : Mr.Aravindraaj,
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.234 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ Accused Nos.3 and 4, apprehending arrest at the hands of the respondent Police for the alleged offence punishable under Sections 294(b), 353, 506



(ii), 269, 270 I.P.C and Section 3 of Epidemic Diseases Act, 1897, in Crime No.234 of 2023 on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant version is that he is working as Health Inspector. On 29.07.2023 at about 8.00 a.m., he received information stating that somebody set fire to some hazardous medical waste material. He went to that place and found that above said materials have been set on fire. He found a lorry bearing Registration No.TN 52 A 2275, search was made and he found the above said waste materials are according to him hazardous in nature. When they made enquiry with the driver of the vehicle, they were criminally intimidated and also tried to be assaulted. On further enquiry, they revealed his name as Karthick Murugan and his father also available by name Ganesan. On further enquiry they revealed that they transported the above said materials from Kerala by the order of one Senthil Murugan to be handed over to Kutty @ Rajalingam. On the basis of the above said informations and subsequent occurrence, he lodged a complaint and so the present case has been registered against four persons.

3. The learned counsel for the petitioners would submit that the petitioners are innocent and are falsely implicated in this case. There is no such occurrence happened as alleged by the prosecution. Hence, they seek anticipatory bail to the petitioners.



4. The learned Additional Public Prosecutor would submit that the accused Nos.1 and 2 were arrested on 29.07.2023 and are still in custody.

5. Considering the fact that even though only for the purpose of delivering the property to the 2nd petitioner, the above said transport was made, considering the above said situation and also considering the facts and circumstances of this case, this Court is not inclined to grant anticipatory bail to these petitioners. So that the petitioners will not commit the similar mistakes in future. Hence, this anticipatory bail petition is dismissed.

sd/-
24/08/2023

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

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TO

1 THE INSPECTOR OF POLICE
ALANGULAM POLICE STATION,
TENKASI DISTRICT.

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



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ORDER
IN
CRL OP(MD) No.15435 of 2023
Date :24/08/2023

SSA/VRS/12.09.2023/4P/3C

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