



CRL OP(MD)No.15765 of 2023

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

Date : 31.08.2023

PRESENT

The Hon`ble Mr.Justice P. DHANABAL

CRL OP(MD)No.15765 of 2023

Valan

... Petitioner / Accused No.2

Vs

State rep by
The Inspector of Police,
Koodankulam Police Station,
Tirunelveli District.
In Cr.No.101 of 2023)

... Respondent / Complainant

For Petitioner : Mr.C.Susi Kumar, 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.101 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/ A2, who apprehends arrest at the hands of the respondent police
for the offences punishable under Sections 147, 148, 341, 294(b), 385 and 427 IPC r/w



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Sections 3, 4(a) of the Explosive Substances Act 1908 in Crime No.101 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that there was a dispute between the accused persons and the defacto complainant with regard to the boundaries of fishing area. Due to the same, on 06.02.2023, the accused persons way laid the defacto complainant's boat and abused him in filthy language and also thrown country bomb and caused damage to the defacto complainant's boat. Hence the case.

3.The learned counsel for the petitioner would contend that the petitioner is an innocent person and he has been falsely implicated in this case. The alleged occurrence was taken place on 06.02.2023, however, the complaint was given only on 13.03.2023. Hence, he prayed for anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor would submit that there are totally 7 named accused and 13 unnamed accused in this case. Due to business motive, the petitioner and other accused thrown country bomb on the defacto complainant's boat and caused damage worth about Rs.1,000/-. He would further submit that the petitioner is having similar three previous cases and the investigation in this case is in initial stage and hence, custodial interrogation of the petitioner is very much required in this case and therefore, he strongly opposed to grant anticipatory bail to the petitioner.



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5. Heard both side and perused the materials available on record.

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6. Considering the rival submissions on either side and considering the seriousness of the case and also considering the fact that the petitioner is having three similar previous cases and that the investigation in this case is at initial stage, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this criminal original petition is dismissed.

sd/-
31/08/2023

/ TRUE COPY /

/09/2023

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

GNS

To

1. The Inspector of Police,
Koodankulam Police Station,
Tirunelveli District.

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

ORDER

IN

CRL OP(MD) No.15765 of 2023

Date :31/08/2023

ED/VRS /SAR- (08/09/2023) 3P / 3C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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