



CRL OP(MD). No.15829 of 2023

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

Date : 01/09/2023

PRESENT

The Hon`ble Mr.Justice P. DHANABAL

CRL OP(MD). No.15829 of 2023

Sudalai Vadivu

... Petitioner/ Accused (Rank Not Known)

Vs

The State Rep. by
The Inspector of Police,
Seidunganallur Police Station,
Thoothukudi District.
(Crime No.118 of 2023)..

... Respondent/ Complainant

For Petitioner : Mr.R.Anand,
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.118 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

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



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The petitioner/ Accused not known who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 449, 294(b), 302, 307, 115, 506(ii) and 109 of IPC in Crime No.118 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that due to previous enmity between the parties, the petitioner and other accused have brutally assaulted the defacto complainant's husband and when the defacto complainant resisted the same, she was also attacked. Thereafter they flee from the scene of occurrence. Thereby both of them went to Government Hospital where the defacto complainant's husband died. Hence, complaint.

3.The learned counsel for the petitioner would contend that the petitioner is innocent and a false case has been foisted against her. He would further submit that she is having young children and she has to look after them. She is no way connected with the case. Hence, she seeks anticipatory bail.

4. The learned Additional Public Prosecutor would submit that due to previous



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enmity between the accused and the defacto complainant's husband, the petitioner along with other accused brutally attacked the defacto complainant and her husband. Thereby, the defacto complainant and her husband sustained grievous injuries. The defacto complainant's husband died in the hospital. The offence is grave in nature. The investigation is at initial stage. He objected to grant anticipatory bail to the petitioner.

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

6. Considering the rival submissions on either side and considering that the investigation is at initial stage and also considering the gravity of the offence, this Court is declined to grant anticipatory bail to the petitioner at this stage. Accordingly, this petition is dismissed.

sd/-
01/09/2023

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

MRN



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TO
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- 1.The Inspector of Police,
Seidunganallur Police Station,
Thoothukudi District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.15829 of 2023
Date :01/09/2023

RK/VR (11/09/2023) 4P /3C

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