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CRL OP(MD). No.16153 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.16153 of 2023

1.S.Sudalai

2.T.Esakkiraja

...Petitioners/ Accused Nos.2 and 3

Vs

The State, through
The Inspector of Police,
Manur Police Station,
Tirunelveli District.
(Crime No.340 of 2023).

... Respondent/Complainant

For Petitioners : Mr.S.VISHNUVARDHAN,
Advocate.

For Respondent : Mr.R.SURESH KUMAR,
Government Advocate (Crl.Side)

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

PRAYER :- For Anticipatory Bail in Crime No.340 of 2023 on the file of the
Respondent Police

ORDER : The Court made the following order :-

The petitioners/ Accused, apprehending arrest at the hands of the respondent
Police for the alleged offence punishable under Sections 147, 294(b), 323 and 506(ii) of
IPC, in Crime No.340 of 2023, on the file of the respondent police, seeks anticipatory
bail.

2. The case of the prosecution is that on 23.07.2023, the petitioners along with

<https://www.mhc.trngov.in/judis>



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other accused were consuming alcohol in the pathway to the defacto complainant's house and he questioned the same. Due to this motive, the accused persons unlawfully assembled, abused the defacto complainant with filthy language, attacked him and caused injuries and criminally threatened him with dire consequences. Hence the complaint.

3. The earlier application was dismissed considering the bad antecedents of the petitioners.

4. The learned counsel for the petitioners submitted that the petitioners are innocent and they have not committed any offence as alleged by the prosecution. They have been falsely implicated in this case. Hence, they seek for the relief of anticipatory bail.

5. The learned Additional Public Prosecutor would submit that the first petitioner is having three previous cases and the second petitioner is having two previous cases, for the offences of assault and produced the list of cases.

6. Considering the continuous antecedents of the petitioners and I find no change of circumstances, the petitioners are not entitled for relief before this Court, even though the co-accused were granted relief in Crl.O.P.(MD)No.14114 of 2023 dated 02.08.2023. The petitioners are directed to surrender before the respondent Police or before the concerned Court and seek regular bail.



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7. Accordingly, this Criminal Original Petition is dismissed.

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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,
MANUR POLICE STATION,
TIRUNELVELI DISTRICT.

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

ORDER
IN
CRL OP(MD) No.16153 of 2023
Date :07/09/2023

SA/VR/SAR. /19.09.2023/3P/3C

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