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CRL OP(MD). No.16807 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 15/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.16807 of 2023

P.Sahaya Sajin,

... Petitioner/Unknown

Vs

The Inspector of Police,
Eraniel Police Station,
Kanyakumari District.
Crime No.388 of 2023.

... Respondent/Complainant

For Petitioner : M/s.MANOJ KUMAR.R.,
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.388 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 police for the alleged offence punishable under Sections 147, 148, 294(b), 307, 324, 427, 447 and 506(ii) of IPC in Crime No.388 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that eight months ago, the defacto complainant



CRL OP(MD). No.16807 of 2023

bought the second hand motor bike from the first accused consultancy and the original registration certificate was not received by the defacto complainant. On 20.08.2023, at about 6.00 p.m. the defacto complainant went to the first accused's consultancy and enquired about the original registration certificate. An enmity arose between them. Further case of prosecution is that A1 to A4 along with one another came to the defacto complainant's house at about 11.30 p.m. and abused the defacto complainant in filthy language and the accused threw the hollow bricks towards the defacto complainant's father. Hence, the defacto complainant's father sustained blood injuries and the accused also damaged the defacto complainant's car glass. Hence, the complaint.

3.The earlier application filed by the petitioner was dismissed by this Court by the order dated 04.09.2023, on the ground that the petitioner is involved in Crime No.9 of 2023, under Sections 294(b), 325, 326 and 506(ii) of IPC.

4.On the ground that co-accused has been granted either bail or anticipatory bail by this Court as well as Principal District Judge, Nagercoil, this petition has been filed. According to the learned counsel for the petitioner, the co-accused also having similar cases. Absolutely, such sort of contentions may not be appreciated. There is no question of reconsidering the view already taken by this Court. On the above said ground, this petition deserves to be dismissed.



CRL OP(MD). No.16807 of 2023

5. Accordingly, this criminal original petition stands dismissed.

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

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TO

1 THE INSPECTOR OF POLICE,
ERANIEL POLICE STATION,
KANYAKUMARI DISTRICT.

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

+1 CC to M/s.S.MANOJ KUMAR, Advocate (SR-13790[I] dated 19/09/2023)

ORDER

IN

CRL OP(MD) No.16807 of 2023

Date :15/09/2023

SA/VRS/SAR. /26.09.2023/3P/4C

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