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CRL OP(MD). No.17002 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.17002 of 2023

A.Anis @ Anish

... Petitioner/ Accused 6

Vs

State, represented by
The Inspector of Police,
Ammamet Police Station,
Thanjavur District.
(Crime No.631 of 2023).

... Respondent/ Complainant

For Petitioner : Mr.R.L.DHILIPANPANDIAN,
Advocate.

For Respondent : Mr.B.NAMBISELVAN,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :- For Bail in Crime No.631 of 2023 on the file of the respondent Police

ORDER : The Court made the following order :-

The petitioner/ sole accused herein, who was arrested on 07.07.2023 for the alleged offence under Sections 147, 148, 341, 342, 294(b), 302 and 149 IPC, in Crime No.631 of 2023, on the file of the respondent Police, seeks bail.

2.The case of the prosecution the defacto complainant lodged a complaint stating that her brother's wife died, so she brought one Gopi @ Elango to her home



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and taking care. In 2020, one Raja was murdered by Babu @ Anandha Babu. The issue arose between that Babu and Gopi over spending money for the murder case. One Dinesh was talking to her second daughter through mobile phone. Later, the said Dinesh came to their street and on coming to know the above said relationship and contact, Gopi assaulted Dinesh. Similarly, one Ilaiyabharathi, who is cousin brother of Gopi was assaulted by Babu. Because of the above said issue, there was enmity between the said Babu and Gopi. Because of the above said enmity, Babu was planning to murder Gopi. On coming to know about the above said plan, the defacto complainant advised Gopi not to indulge any criminal activities and she will take care. On 02.07.2023 at about 5.00 p.m., the said Gopi was going to Ukkadai to deliver vessels through his two wheeler. Even after long time, he did not return. At about 8.00 p.m., she contacted Gopi and the said Gopi informed her that he entered into her street. But when he was coming near rice godown, the accused persons intercepted the said Gopi, caused assault with aruval and other deadly weapons and caused his death. All the accused persons ran away from the place on gathering of neighbours. On the basis of the above, the case was registered against several persons and this petitioner is arrested and remanded to judicial custody.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent and is no way connected with the alleged occurrence. The petitioner is in



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judicial custody from 07.07.2023. Hence, he prays to release the petitioner on bail.

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4.The learned Additional Public Prosecutor submitted that the petitioner is a history sheeted rowdy element bearing H.S.No.174 of 2023 and is also having two more previous cases under Section 307 IPC.

5. Considering the fact that the petitioner is a history sheeted bearing H.S.No.174 of 2023 and is having two previous cases under Section 307 IPC, there is having specific overt act attributed against the petitioner in the commission of the offence as contended on the side of the prosecution, and also considering the grave nature of offence, this Court is not inclined to grant bail to the petitioner. Hence, this petition deserves dismissal and accordingly dismissed.

sd/-
21/09/2023

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

INDU
TO
1 THE OFFICER INCHARGE,
DISTRICT JAIL, THANJAVUR, THANJAVUR DISTRICT.

2 THE INSPECTOR OF POLICE,
AMMAPET POLICE STATION,
THANJAVUR DISTRICT.



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

+1 cc to Mr.R.L.DHILIPAN PANDIAN, Advocate, SR.No.14011

ORDER IN
CRL OP(MD) No.17002 of 2023
Date :21/09/2023

SA/JGB/SAR. /26.09.2023/4P/5C

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