



CRL OP(MD). No.17329 of 2023

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

Date : 27/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.17329 of 2023

Muruganantham

... Petitioner / Accused No.6

Vs

The State represented by its
The Inspector of Police,
Musiri Police Station,
Trichy.
(In Crime No.266 of 2023).

... Respondent / Complainant

For Petitioner : M/s.D.S.Haroon Rasheed, 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.266 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/accused who apprehends arrest at the hands of the respondent police for the offences punishable under sections 147, 148, 342, 324, 302 of I.P.C., in Crime No.266 of 2023 on the file of the respondent police, seeks anticipatory bail.



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2.The case of the prosecution is that due to previous motive between the defacto complainant's son and the accused persons, on the date of occurrence, the accused persons unlawfully assembled and caught hold the deceased and attacked with knife, thereby he sustained fatal injury. When one Mathiyalagan in that place trying to prevent the same, he also sustained injury. Hence, the complaint.

3.This petition has been filed on the ground that on the date of occurrence along with his wife he entered into the above said occurrence village and attended the temple festival. Later returned. In the above said murder, he does not involve. Even in the previous case in Crime No.97 of 2023, he was not shown as accused.

4.The learned Additional Public Prosecutor would submit that during the course of investigation, it came to light that in the form of confession of the co-accused this petitioner alleged to have caught hold the deceased, when the co-accused caused assault upon the deceased. According to him, there is specific allegation. Therefore, he is not entitled for any relief.

5.Perusal of CD file shows that there is eye witnesses to show that he has caught hold the deceased with other co-accused. Further it reads that there was a sudden fight between the parties, when one of the parties has been called by name in the presence of his wife. Considering the above said facts and circumstances and also considering the seriousness of the allegations, this Court dismissed the earlier



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application filed by the petitioner.

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6. Now without any change of circumstances, this petition has been filed.

Therefore, the petitioner is not entitled for any discretionary relief.

7. Accordingly, this criminal original petition stands dismissed.

sd/-

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/11/2023

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

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To

1. The Inspector of Police,
Musiri Police Station,
Trichy.

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

ORDER

IN

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Date :27/09/2023

ED/ DD /SAR- (01/11/2023) 3P / 3C

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