



CRL OP(MD)No.21123 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05.12.2023

PRESENT

The Hon`ble MR JUSTICE V.SIVAGNANAM

CRL OP(MD)No.21123 of 2023

Sahaya Nathan

... Petitioner/ Accused No.1

Vs

The Inspector of Police,
Sempatti Police Station,
Dindigul District.
(Crime No.364 of 2023)

... Respondent/Complainant

For Petitioner : Mr.K.Palmurugan, Advocate

For Respondent : Mr.RMS.Sethuraman,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.364 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 174 Cr.P.C.,(Suspicious Death) altered into



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Sections 304(11) r/w 201 IPC and Section 135(1)(a) of the Electricity Act, 2003 in
Crime No.364 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner herein is the owner of the brick kiln and he was cultivating crops in nearby brick kiln, which was managed by one Rajendran. In order to prevent the bigs from entering into the field, the petitioner illegally used the electricity fence. On 08.11.2023 when the said Rajendran searched around the field, he found one person was died and informed the same to the petitioner. Thereafter, the petitioner and other accused threw away the body in a gunny bag. Hence, the case.

3.The learned counsel appearing for the petitioners would submit that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution. Hence, he seeks anticipatory bail.

4.The learned Additional Public Prosecutor appearing for the respondent police would submit that the petitioner is the owner of the land and he fenced the same by using electricity, due to which, one person died and he along with another accused, disposed the body of the deceased. Hence, he strongly opposed to grant anticipatory bail to the petitioner.



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5. Considering the grave nature of the offence committed by the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this criminal original petition is dismissed.

sd/-
05/12/2023

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/01/2024

Sub-Assistant Registrar
(C.S. I / II / III/ IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

GNS

TO

- 1 THE INSPECTOR OF POLICE
SEMPATTI POLICE STATION,
DINDIGUL DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.21123 of 2023
Date :05/12/2023

SS/VR/SAR- /02/01/2024/3P/3C

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