



CRL OP(MD). No.21762 of 2023

WEB COPY

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.21762 of 2023

Gowtham,

... Petitioner/ Accused No.4

Vs

**The Inspector of Police,
Kalaiyarkovil Police Station,
Sivagangai District.
in Crime No.323/2023..**

... Respondent/Complainant

For Petitioner : Mr.A. Mohan,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.323/2023 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 294(b), 323, 324, 506(ii),

<https://www.nhc.tn.gov.in/judis>



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302 IPC in Crime No.323 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that due to wordy quarrel, the petitioner herein has attacked the defacto complainant's father and pushed him and that he fell on the back tire of the car which parked there and got head injuries and thereafter, he was admitted in the kalaiyarkovil Government Hospital and later, he was reported dead. Hence, the case.

3. The learned counsel for the petitioner would contend that the petitioner is innocent and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in this case.

4. The learned Additional Public Prosecutor would submit that it is a second anticipatory bail and the earlier petition filed by the petitioner was withdrawn by him on 13.09.2023 in CrI.O.P(MD).No.16158 of 2023. He would further submit that the petitioner's name is specifically mentioned in the FIR and he has also participated in the crime and hence, the custodial interrogation of the petitioner is necessary and prays for dismissal of this petition.

5. Considering the serious nature of allegations made against the petitioner and that there is no change of circumstances after withdrawal of the earlier petition, this

Court is not inclined to grant anticipatory bail to the petitioner.

<https://www.mhc.tn.gov.in/judis>



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6. Accordingly, this Criminal Original Petition is dismissed.

sd/-
05/12/2023
/ TRUE COPY /

/12/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP
TO

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

ORDER
IN
CRL OP(MD) No.21762 of 2023
Date :05/12/2023

PKP/DD/SAR- /13.12.2023/ 3P/ 3C

Madurai Bench of Madras High Court is issuing certified
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