



CRL OP(MD). No.22040 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07/12/2023

PRESENT

The Hon`ble Mr.Justice V. SIVAGNANAM

CRL OP(MD). No.22040 of 2023

Balakrishnan,

... Petitioner/ Accused No.5

Vs

The Inspector of Police,
Jeyamagalam Police Station,
Theni District.
Crime No. 261 of 2023.

... Respondent/ Complainant

For Petitioner : M/s Jainul Abudheen.A,dvocate.

For Respondent : Mr.RMS,Sethuraman,

Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No. 261 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

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the offences punishable under Sections 147, 148, 294(b), 323, 342, 302 and 506(2) IPC in Crime No.261 of 2023 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that due to previous enmity with regard to the celebration of temple festival, the petitioner herein and other accused have threatened the defacto complainant's brother viz., Irulappan and beaten the deceased with hands and stabbed with knife and thereafter, all the accused persons were ran away from the place of occurrence and subsequently the said Irulappan died. Hence, the case.

3. The learned counsel for the petitioner would submit 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 and hence, he seeks anticipatory bail.

4. The learned Additional Public Prosecutor appearing for the respondent police would submit that that there was a dispute between the parties with regard to the celebration of the temple festival and the petitioner herein is caught holder of the deceased. He would further submit that the investigation of the case is pending and hence, he strongly opposed to grant anticipatory bail to the petitioner.



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5. Considering the facts and circumstances of the case and also considering the serious nature of allegations made against the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

sd/-
07/12/2023

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

TRP
TO

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

ORDER
IN
CRL OP(MD) No.22040 of 2023
Date :07/12/2023

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