



CRL OP(MD) No.208 of 2024

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

Monday, the Eighth day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.208 of 2024

R.MARIAPPAN

... PETITIONER/ACCUSED RANK NOT KNOWN

Vs

THE INSPECTOR OF POLICE
TIRUNELVELI TALUK POLICE STATION,
TIRUNELVELI DISTRICT.
(CRIME NO.359 OF 2023)

... RESPONDENT/COMPLAINANT

For Petitioner : MR.N.PRAGALATHAN, 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.359 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 alleged offence punishable under Sections 147, 363, 368,
302, 120(B) and 109 of I.P.C. in Crime No.359 of 2023 on the file of the respondent
Police, seeks anticipatory bail.

2. The case of the prosecution is that the deceased is the defacto complainant's



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husband. The deceased and one Sappanimuthu were known to each other and on the instructions given by the said Sappanimuthu, the deceased gave his Bank Account number to the accused and the accused persons transferred an amount of Rs.49,95,000/- to the deceased's Bank Account and subsequently, only a sum of Rs.13,00,000/- alone was returned by the deceased to the accused persons. Thereby, all the accused persons jointly kidnapped the deceased and attacked and caused serious injuries all over the body of the deceased. Due to which, he admitted in the hospital and unfortunately, he died on 12.08.2020. Hence, the defacto complainant lodged a complaint to the respondent Police and the respondent Police registered a case against the accused persons.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has nothing to do with the alleged offence. He would further submit that the petitioner is ready to abide by any conditions imposed by this Court. He would further submit that based on the confession statement given by the other accused, the petitioner has been falsely implicated in this case. Accordingly, he prays for anticipatory bail.

4. The learned Additional Public Prosecutor appearing for the respondent Police would submit that the petitioner is a habitual offender and 11 previous cases are pending against him and out of which, one case is a murder case. He would



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further submit that the co-accused in this case was already arrested and remanded to judicial custody and thereafter, bail was granted by this Court on 19.12.2023.

5. Considering the facts and circumstances of the case and also considering the fact that 11 previous cases are pending against the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the Criminal Original Petition stands dismissed.

sd/-
08/01/2024

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/01/2024

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

TSG

TO

1 THE INSPECTOR OF POLICE, TIRUNELVELI TALUK POLICE STATION,
TIRUNELVELI DISTRICT.

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

ORDER
IN

CRL OP(MD) No.208 of 2024

Date :08/01/2024

RS/VR/SAR-(24.01.2024) 3P 3C
Madurai Bench of Madras High Court is issuing
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