



CRL OP(MD) No.1767 of 2024

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

Tuesday, the Sixth day of February Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.1767 of 2024

R. MARIAPPAN

... PETITIONER / ACCUSED RANK NOT KNOWN

Vs

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

CR.NO.359/2023

... RESPONDENT / COMPLAINANT

For Petitioner : MR.K.MUTHURAKKAN, Advocate

For Respondent : MR.B.NAMBISELVAN, Additionla Public Prosecutor

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

PRAYER:

FOR ANTICIPATORY BAIL IN CRIME NO. 359/2023 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,



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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 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. Heard the learned counsel on either side and perused the material records of the case.

4. It appears that the first application filed by the petitioner in CrI.OP(MD) No.208 of 2024 was dismissed by this Court on 08.01.2024 on the ground that 11 previous cases are pending against the petitioner. Now, this application has been filed by the petitioner without referring the change of circumstances to consider the



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case.
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5. Considering the above facts and circumstances of the case and also considering the fact that there is no change in circumstances, this Court is not inclined to grant anticipatory bail to the petitioner.

6. In the result, this Criminal Original Petition is dismissed.

sd/-
06/02/2024

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/02/2024
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. CR.NO.359/2023
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.1767 of 2024
Date :06/02/2024

PKP/JGB/SAR /09.02.2024/ 3P/ 3C

Madurai Bench of Madras High Court is issuing certified
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