



CRL OP(MD) No.2823 of 2024

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

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

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.2823 of 2024

SENTHOORPANDIAN

... PETITIONER / ACCUSED 7

Vs

THE INSPECTOR OF POLICE
PALAYAMKOTTAI POLICE STATION,
TIRUNELVELI DISTRICT.
CRIME NO. 1378 OF 2023

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.GANESH KUMAR G Advocate

For Respondent : Mr.B.NAMBISELVAN, Govt. Advocate (Crl. Side)

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

PRAYER:- FOR BAIL IN CRIME NO. 1378 OF 2023 ON THE FILE OF THE
RESPONDENT POLICE

ORDER : The Court Made the following order :-

The petitioner/A7, who was arrested and remanded to judicial custody on
09.12.2023 for the offence punishable under Sections 341, 302 @ 147, 148, 341, 294(b),
342, 302, 506(ii), 120(B), 109 of IPC in Crime No.1378 of 2023 on the file of the



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respondent Police, seeks bail.

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2.The case of the prosecution is that the defacto complainant had love affair with the first accused and their two families have accepted their love on condition that the marriage will be performed after the defacto complainant attaining majority. Thereafter, defacto complainant's father performed his second marriage with one Mari, who is relative of A1. Due to that, there is enmity between the two families, based upon which, on 06.12.2023, the accused persons waylaid the defacto complainant's father and attacked him with aruval and caused injury, due to that, he lost his life. Hence, the case.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Further, the accused Nos.1 to 5 are detained under the Tamil Nadu Act 14 of 1982. The allegation made against the petitioner is that he watched and informed to the A1 about the movement of the deceased. Further, the petitioner and his minor son performed final rites of the deceased and he only helped the respondent Police for identification of the deceased's body. He would further submit that the petitioner is in judicial custody from 09.12.2023. Hence, he prays for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent



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Police would submit that as per the secret intelligence report reveals that if the petitioner is enlarged on bail, he will commit murder of the deceased's family and the defacto complainant also. Hence, he strongly opposed to grant bail to the petitioner.

5. Considering the facts and circumstances of the case and also considering the fact that there is life threat to the defacto complainant and her family at the hands of the petitioner, this Court is not inclined to grant bail to the petitioner.

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

sd/-
27/02/2024

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/03/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

INDU
TO
1 THE INSPECTOR OF POLICE
PALAYAMKOTTAI POLICE STATION,
TIRUNELVELI DISTRICT.

2 THE OFFICER INCHARGE,
PALAYANKOTTAI PRISON, PALAYANKOTTAI.

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



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ORDER
IN
CRL OP(MD) No.2823 of 2024
Date :27/02/2024

SA/GS/SAR. /21.03.2024/4P/4C

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