



CRL OP(MD). No.8061 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/06/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.8061 of 2024

Gnanasundar,

... Petitioner/ Accused No.1

Vs

The Inspector of Police,
Bodinayackanur Town Police Station,
Theni District.
(Crime No. 131 of 2024).

... Respondent/Complainant

For Petitioner : Mr.K.Prakash
Advocate.

For Respondent : Mr.M.Sakthikumar,
Government Advocate (Crl.Side)

PRAYER :- For Anticipatory Bail in Crime No. 131 of 2024 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 the offence punishable under Sections 294(b), 323, 324, 506 (ii), 435 and 109 I.P.C, in Crime No.131 of 2024, seeks anticipatory bail.



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2.The case of the prosecution is that due to wordy quarrel between the parties, the petitioner attacked the defacto complainant and also threatened with dire consequences and on the instigation of the petitioner, other accused set fire to two bikes of the defacto complainant and others.

3.The learned counsel for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution.

4.The learned Government Advocate (Crl. side) appearing for the respondent strongly opposes to grant bail on the ground that the investigation is yet to be completed.

5. The allegation as against this petitioner is that on the instigation of this petitioner, the other accused, viz., A2 and A3 have set fire to the motorcycle of the defacto complainant. The petitioner/A1,, who is the resident of that locality, has caused nuisance, which was questioned by the residents of that locality and therefore, the petitioner by engaging some hooligans have set fire to the



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motorcycles, which was parked in front of their house. The case of the petitioner is that he was taking treatment in the Government Hospital at the time of occurrence.

The learned Government Advocate (Crl.side) submits that A2 and A3, who are strangers, have been identified through CCTV footage and by their arrest. The confession statement of the Accused Nos.1 and 2, reveals that only on the instigation of the petitioner, they have committed this offence. A2 and A3 are not residents of that locality and they are having no motive as against the victim. It is not a single vehicle destroyed, but, three vehicles worth about Rs.2,50,000/- have been destroyed.

6. Considering the facts and circumstances of the case and considering the nature of offence as against this petitioner, this Court is not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, this Criminal Original Petition is dismissed.

sd/-

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

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

ORDER
IN
CRL OP(MD) No.8061 of 2024
Date :04/06/2024

SS/VR/SAR- /14/06/2024/4P/3C

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