



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

Tuesday, the Twenty Fifth day of August Two Thousand and Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.11516 of 2015

1 S.ARUMUGAM
2 S.PRABHAKARAN

..PETITIONERS/ACCUSED 2 and 4

Vs.

THE INSPECTOR OF POLICE
KAMUDI POLICE STATION,
RAMANATHAPURAM DISTRICT.
CR. NO. 232 OF 2014.

... RESPONDENT / COMPLAINANT

For Petitioners : M/S.T.LAJAPATHI ROY Advocate
For Respondent : MRS.S.PRABHA,
Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.
ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused Nos.2 and 4, apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 392 r/w. 302 of I.P.C., in Crime No.232 of 2014 on the file of the respondent police and hence, seek anticipatory bail.

2. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case. It is further submitted that the occurrence had taken place on 01.10.2014 and on the basis of the confession of the first accused, now they have been implicated in this case and even as per the confession, the petitioners could be prosecuted for offence of 201 I.P.C.

3. The learned Government Advocate (Crl.side) submitted that the investigation reveals that as per the instruction of the accused No.1, the accused No.2 viz., Arumugam took his own Indica Car bearing Reg.No.TN 65 Y 3129 and went to Rameswaram picked up the accused No.1 at the Rameswaram Bus stand and drove the vehicle to Mustakkurichi and parked the car near Vinayagar Temple. The accused No.2, Arumugam took the "sword" which was kept by him in his car dickey and went to the A-1 mother's resident and in front of the house one Jappan @ Nallameettan (A-5) was sleeping, immediately the accused No.1 convinced the accused No.5 and gave one quarter bottle of brandy, on receiving the same, A5 left the place immediately and accused No.3 Raja @ Rocket Raja jumped over the compound wall and opened the main door and all the accused persons entered in the premises and the accused No.1 called his mother, on hearing the sound of accused No.1,



the deceased opened the door. Thereafter, the accused No.1 moved from the place and the accused No.2 stabbed the deceased in her neck for two times with sword and the deceased fell down and subsequently the accused No.2 attacked over the head, neck and shoulders of the deceased with sword and after the accused No.2 Arumugam robbed "Thandati" from the deceased ear and one chain from the deceased neck and handed over to the accused No.3 Raja @ Rocket Raja and all the accused persons left the occurrence place and the accused No.1 Marimuthu gave Rs.20,000/- to the accused No.2 Arumugam for committing the murder and the accused No.2 dropped the accused Nos.3 and 4 at Kamuthi and subsequently he dropped the accused No.1 at Rameswaram.

4. Considering the overt acts attributed against this petitioners and the gravity of the offence, this Court is of the opinion that the petitioners are not entitled for anticipatory bail. Hence, this petition is dismissed.

sd/-

25/08/2015

/ TRUE COPY /

Sub-Assistant Registrar

TO

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

2 THE INSPECTOR OF POLICE
KAMUDI POLICE STATION, RAMANATHAPURAM DISTRICT.

+1. CC to M/S.T.LAJAPATHI ROY Advocate SR.No.49316

Akm/01.09.2015 /2p-4c/

ORDER

IN

CRL OP(MD) No.11516 of 2015

Date :25/08/2015