



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

Tuesday, the Seventeenth day of November Two Thousand Fifteen

PRESENT

THE HON`BLE MS.JUSTICE V.M.VELUMANI

CRL OP(MD) No.18573 of 2015

KANAKKAN@MUNIYASAMY

... DEPONENT / ACCUSED

Vs

STATE THROUGH THE INSPECTOR OF POLICE

KEERATHURAI P.S.

IN CR.NO. 443/2015

... RESPONDENT / COMPLAINANT

For Petitioner : M/S J.WILLIAM CHRISTOPHER Advocate

For Respondent : MR.K.ANBARASAN Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

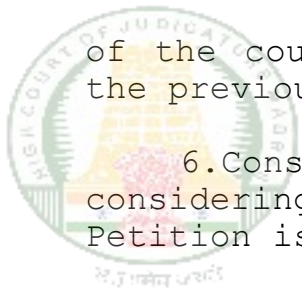
The petitioner, who is arrayed as accused No.5 in Crime No.443 of 2015 on the file of the respondent police apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 148 and 302 IPC and hence, seeks anticipatory bail.

2.The case of the prosecution is that the son of the defacto complainant was murdered by the accused and on complaint, a case was registered in Crime No.443 of 2015 for the offences as stated above.

3.The case of the petitioner is that he is an innocent person and only based on the confession given by the other accused, the petitioner has been falsely implicated.

4.The learned Government Advocate (crl. side) filed counter affidavit stating that there are totally 7 accused in this case and the petitioner is A5. The respondent police arrested the other accused and obtained their confession statement. They have stated that due to previous enmity, they committed the murder of the deceased and they have clearly stated about the overt act about the petitioner herein.

5.As per the confession statement, the respondent police seized two number of two wheelers bearing registration Nos.TN 64 D 9316 and TN 10 J 8431 belonging to the petitioner. The petitioner only provided the vehicle for committing the offence. In paragraph No.7



of the counter affidavit, the respondent has given the details of the previous cases (9 cases) pending against the petitioner.

6. Considering the facts and circumstances of the case and also considering the gravity of the offence, this Criminal Original Petition is dismissed.

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sd/-
17/11/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE INSPECTOR OF POLICE, KEERATHURAI P.S.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

ORDER
IN
CRL OP(MD) No.18573 of 2015
Date :17/11/2015

GJM/ARK/ZK/ARII-20.11.2015-2p-3C