



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

Wednesday, the Fourth day of November Two Thousand Fifteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.18993 of 2015

RAZAK @ ANTO RAZAK ... PETITIONER / ACCUSED RANK NOT KNOWN

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
ASARIPALLAM POLICE STATION,
KANYAKUMARI DISTRICT.

CR. NO. 138 OF 2014 ... RESPONDENT/ COMPLAINANT

For Petitioner : M/S M.SARAVANAN 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, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 302 of IPC, in Crime No.138 of 2014, on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that the first accused Robin was fighting with the deceased near TASMAL shop and attacked and kill the deceased. The respondent police has registered a case in Cr.No.138 of 2014 and on the basis of the confession given by the A1, this petitioner has been falsely implicated in this case.

3.The respondent police has filed a counter affidavit that the petitioner is the co-accused as per the statement given by the A1. This petitioner is the relative of A1. The investigation is completed and intention for the murder is being investigated. The investigation reveals that the petitioner is already an accused in Cr.No.191 of 2010, Asaripallam Police Station and after such investigation, charge-sheet has been filed against the petitioner and is pending for trial. It is also to be noted a Non-bailable Warrant (NBW) is pending in S.T.C.No.82 of 2011 before the learned Judicial Magistrate No.II, Nagercoil.

4.Considering the gravity of offence, bad antecedents and also considering the fact that the learned Government Advocate (Crl.side) submitted that the petitioner never co-operated for investigation and if he released on anticipatory bail, he will tamper the



witnesses and hamper the evidences, I am not inclined to grant anticipatory bail to the petitioner. Hence, this petition is dismissed.

sd/-

04/11/2015

/ TRUE COPY /

WEB COPY

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

TO

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

2 THE INSPECTOR OF POLICE
ASARIPALLAM POLICE STATION, KANYAKUMARI DISTRICT.

+1. CC to M/S M.SARAVANAN Advocate SR.No.64939

ORDER

IN

CRL OP(MD) No.18993 of 2015

Date :04/11/2015

RG/AN-MP/SAR-II

06.11.2015

2P:4C.