



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

Friday, the Fourth day of December Two Thousand Fifteen

PRESENT

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

CRL OP(MD) No.21862 of 2015

LIBIN

... PETITIONER / A1

Vs

State rep.by
THE INSPECTOR OF POLICE
KULASEKARAN POLICE STATION, KULASEKARAN,
KANYAKUMARI DISTRICT
(Crime.No.472/2015)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.R.JOSEPH THANKARAJ Advocate

For Respondent : Mr.K.Anbarasan Govt. Advocate (Crl. Side)

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner/first accused was arrested and remanded to judicial custody on 13.10.2015 for the alleged offences punishable under Section 304(ii) of IPC, in Crime No.472 of 2015 on the file of the respondent police and hence, seeks bail.

2.The case of the prosecution is that on 10.10.2015 at 09.00 p.m, the defacto complainant found the petitioner and the two others armed with weapons and she found her husband missing and on the next day, the body of her husband found in the water channel. Therefore, she gave a complaint that the accused have attacked the deceased and murdered him.

3. The learned counsel for the petitioner submitted that the petitioner is innocent. He has not committed any offence as alleged by prosecution. The respondent police falsely implicated the name of the petitioner.

4.The learned Government Advocate(Crl.side) submitted that the petitioner and two others attacked the deceased with vettukathi and other two accused are absconding and the weapons are yet to be recovered. The other accused filed a petition in Crl.O.P.No.22203 of 2015 for anticipatory bail and the same was dismissed by this Court and investigation is pending.

5.Considering the gravity of the offence and the fact that the two accused are absconding, this Court is not inclined to grant bail to the petitioner. Hence, this petition is dismissed.

sd/-

04/12/2015

/ TRUE COPY /



TO

1 THE OFFICER IN CHARGE, DISTRICT JAIL, NAGERCOIL

2 THE INSPECTOR OF POLICE
KULASEKARAN POLICE STATION, KULASEKARAN,
KANYAKUMARI DISTRICT

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

sm:AAL-MPA:SAR II:10.12.2015:2P/4C

ORDER

IN

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Date :04/12/2015