



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

Wednesday, the Twenty Fifth day of February Two Thousand Fifteen

PRESENT

THE HON`BLE MR JUSTICE P.N.PRAKASH

CRL OP(MD) No.2652 of 2015

M. SUBBAIAH

... PETITIONER / ACCUSED No.6

Vs

THE INSPECTOR OF POLICE
THALAIYUTHU POLICE STATION, TIRUNELVELI DT,
CRIME NO.355/2014

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.M.MARAN Advocate

For Respondent : Mr.A.P.Balasubramanian, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

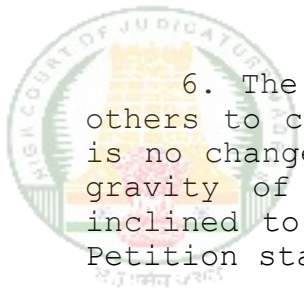
The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 148, 294 (b), 302, 506(ii) and 109 IPC @ 147, 148, 294(b), 302, 506(ii) 109 and 120(b) IPC in Crime No.355 of 2014 on the file of the respondent police, seeks anticipatory bail.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) appearing for the State.

3. This is second anticipatory bail petition and the first anticipatory bail petition in Crl.O.P.(MD) No.425 of 2015 was dismissed by this Court on 22.01.2015.

4. The case of the prosecution is that one Karthik was in love with Meena, grand daughter of the petitioner herein and that they both eloped on 02.10.2014. On account of this, the family of the petitioner was having grudge against Karthik's family and on the instigation of this petitioner, A1 to A5 went to the house of Srinivasan, brother of Karthik and indiscriminately cut him on 03.10.2014, resulting in his death. Police arrested some of the accused and they have clearly stated in their statement that it was this petitioner, who had engineered the attack and had even come forward to finance the hired killers for executing the job.

5. Learned counsel for the petitioner submitted that this petitioner was admitted in the hospital on 09.01.2015 and was discharged only on 14.01.2015. Since his health condition got deteriorated and admitted in the hospital.



6. The fact remains that it was this petitioner, who had instructed others to commit the murder of Srinivasan as honor killing. Hence, there is no change in fact-situation and further, taking into consideration the gravity of the allegations against this petition, this Court is not inclined to grant anticipatory bail to him. Hence, the Criminal Original Petition stands dismissed.

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sd/-
25/02/2015

/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE
THALAIYUTHU POLICE STATION, TIRUNELVELI DT,
- 2 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

Sm:02.03.2015:2P/3C

ORDER
IN
CRL OP(MD) No.2652 of 2015
Date :25/02/2015