



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

Thursday, the Twenty Second day of January Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.793 of 2015

1 ARUMUGAKANI

2 KANNAN

... PETITIONERS/ACCUSED A4 & A5

Vs

STATE REP BY THE INSPECTOR OF POLICE

RADHAPURAM POLICE STATION, TIRUNELVELI DT,

CRIME NO.2/2015

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.T.A.EBENEZER Advocate

For Respondent : MR.A.P.BALASUBRAMANI Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 341, 302 and 506(ii) of Indian Penal Code in Crime No.2 of 2015 on the file of the respondent police, seek anticipatory bail.

2. It is the case of the prosecution that A-1 and A-2 committed the murder of the *defacto* complainant's mother on 02.01.2015. It is alleged that A-1's father had eloped with the daughter of the deceased-Indira. Thereafter, there was a Panchayat held and the daughter came back to the house of the deceased. However, A-1's father committed suicide. On account of this, there was so much of acrimony between the two families. It is seen that in response to this acrimony, A-1 and A-2 had brutally attacked the deceased lady in the presence of her son, who is the *defacto* complainant.

3. The learned counsel for the petitioners submits that the first petitioner-Arumugakani aged about 52 years is the grandmother of A-1 and the second petitioner Kannan is the younger brother of Esakki (A-2). The learned counsel further submits that the name of these petitioners do not figure in the First Information Report and, therefore, they have been falsely implicated.

4. On the contrary, it is seen from the confession statement of the arrested accused that it was the first petitioner who had instigated the entire murder, because of ill-feeling which they had



with the other family. Similarly, the involvement of the second petitioner also came to light in the case of murder. Under such circumstances, I am of the opinion that this is not a fit case to grant anticipatory bail to the petitioners and hence, the Criminal Original Petition is dismissed.

sd/-

22/01/2015

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/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE
RADHAPURAM POLICE STATION, TIRUNELVELI
- 2 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP (MD) No.793 of 2015

Date : 22/01/2015

AA/28.01.2015/2p- 3c/