



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

Friday, the Twenty Second day of July Two Thousand Sixteen

PRESENT

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

CRL OP (MD) No.12429 of 2016

1 MURUGESAN
2 LATHA
3 NAGASAMY
4 ILAYARAJA

... PETITIONERS/ACCUSED
Vs

STATE REP BY THE INSPECTOR OF POLICE
ILAYANGUDI POLICE STATION, SIVAGANGAI DISTRICT.
(CRIME NO. 185 OF 2016) ... RESPONDENT/COMPLAINANT

For Petitioner : M/S V.KANNAN Advocate
For Respondent : MR.P.KANNITHEVAN Govt. Advocate (Crl. Side)

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

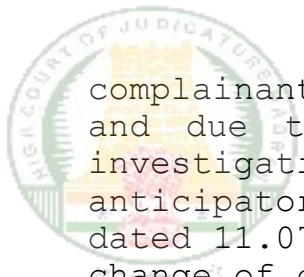
ORDER : The Court Made the following order :-

The petitioners, who are arrayed as Accused Nos.3 to 6, apprehend arrest at the hands of the respondent police for the offence punishable under Section 306 IPC, in Crime No.185 of 2016, on the file of the respondent police and hence, seek anticipatory bail.

2.The case of the prosecution is that there was enmity between the families of the deceased and his brother A.1 Nagasamy. On 03.07.2016, the deceased abused A.1 in filthy language. Due to that, the petitioners along with the other accused attacked the deceased with aruval and wooden log. The deceased lodged a complaint before the respondent police and on the next day morning i.e., on 04.07.2016 at about 04.00 a.m., the deceased committed suicide by consuming poison. On complaint, case has been registered for the above said offences.

3.The case of the petitioners is that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. Due to dispute between the families of the deceased and A.1, a false complaint has been given against the petitioners.

4.The learned Government Advocate (Criminal side) submitted that due to the dispute between the families of the deceased and A.1, the petitioners attacked the deceased and for that the de facto



complainant has given a complaint that the petitioners induced him and due to that, he committed suicide by consuming poison and investigation is in preliminary stage. The earlier petition for anticipatory bail filed by the petitioners was dismissed vide order dated 11.07.2016 made in Crl.O.P(MD)No.11297 of 2016 and there is no change of circumstances. Investigation is pending.

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5.Considering the serious nature of allegation levelled against the petitioners and the deceased committed suicide only on 04.07.2016 and investigation is pending and there is no change of circumstances, this Court is not inclined to grant anticipatory bail to the petitioners and accordingly this petition is dismissed.

sd/-

22/07/2016

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

TO

- 1 THE INSPECTOR OF POLICE
ILAYANGUDI POLICE STATION, SIVAGANGAI DISTRICT.
- 2 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.12429 of 2016

Date :22/07/2016

AA/GSV-PM/SAR-I/28.07.2016/2p-3c