

HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.844 of 2016

ORDER:

This petition is filed by the petitioner-accused No.5 under Section 438 Cr.P.C. seeking to grant anticipatory bail to him in Crime No.391 of 2015 on the file of Keesara Police Station, registered for the offence punishable under Sections 120-B, 363, 302 IPC and Section 25(1) of the Indian Arms Act.

Heard and perused the material available on record.

It is stated that the main accused confessed that the petitioner, who is an advocate, conspired with them to commit the crime.

Learned Counsel for the petitioner vehemently contended that absolutely there is no material on record to connect the petitioner with the above crime and that the petitioner is a leading advocate and further, with an intention to implicate the petitioner, the confession of the main accused was recorded by the police and that the confession alleged to have been made by the accused is not admissible in evidence.

Considering the rival contentions, this Court is of the view that even though the confession of the accused recorded by the police is not admissible in law, the same can be relied upon for the purpose of investigation, and that it is not a fit case to grant anticipatory to the petitioner at this stage.

Accordingly, the Criminal Petition is dismissed.

RAJA ELANGO, J

8th February, 2016

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