



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

Wednesday, the Twenty Second day of February Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL OP(MD) No.1001 of 2017

CHINNATHAMBI

... PETITIONER/ACCUSED NO.4

Vs

STATE: THROUGH
THE INSPECTOR OF POLICE,
AUTHOOR POLICE STATION,
AUTHOOR.

CRIME NO.255/2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.KA.RAAMAKRISHINAN Advocate

For Respondent : MR.P.KANDASAMY, 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 offence punishable under Sections 147, 148, 294(b), 302 and 120(b) of IPC., in Crime No.255 of 2016, seeks anticipatory bail.

2. The case of the prosecution is that due to previous local body election, the deceased and the village people had motive and out of this motive, on 14.10.2016, when the deceased and his brother were standing in front of AMM.Esakki Mahal at Mukkani located at Tuticorin to Tiruchendur Road, at that time, A1 to A11 and two others armed with aruval and attacked the defacto complainants's brother and caused injures and put him to death.

3. The learned counsel appearing for the petitioner states that there is no specific overt act as against the petitioner in this case and the petitioner is an innocent and he has not committed any offence, as alleged and he has been falsely implicated in this case.

4. The learned Government Advocate (crl.side) appearing for the respondent states that there are totally 11 named accused and 2 others and the petitioner is named as A4 in the FIR itself. A1, A5 to A8, A11 and A13 are still absconding. A2 has been detained under Goondas Act. A3 surrendered before the Court and released on bail by the concerned Sessions Judge. A9 was granted anticipatory bail by this Court. A12 was arrested and released on bail by this Court.



The alleged overt act of the petitioner is that he attacked the deceased with aruval on the above hip portion and the investigation is still pending.

5. Considering the above facts and circumstances of the case and also considering the facts that most of the accused are still absconding in this case and the investigation is still pending and the alleged overt act of the petitioner in the occurrence, this Court is not inclined to grant anticipatory bail to the petitioner, at this stage. Hence, this Criminal Original Petition stands dismissed.

sd/-
22/02/2017

/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE,
AUTHOOR POLICE STATION, AUTHOOR.
- 2 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.KA.RAAMAKRISHINAN Advocate SR.No.9849

MPK
CSL/RSK/SAR-III/24.02.2017 : 2P/4C

ORDER
IN
CRL OP(MD) No.1001 of 2017
Date :22/02/2017