



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

Wednesday, the Twenty Fifth day of October Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.14295 of 2017

ANTHONY SELVA THATHEYUS

... PETITIONER / ACCUSED-2

Vs

THE STATE THROUGH
THE INSPECTOR OF POLICE
SOUTH POLICE STATION,
THOOTHUKUDI DISTRICT,
CRIME NO.615/17

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.MOORTHY Advocate

For Respondent : Mr.K.ANBARASAN Government Advocate (Crl. Side)

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

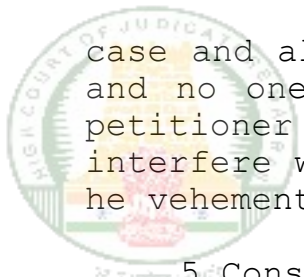
The petitioner/accused No.2, who was arrested and remanded to judicial custody on 14.08.2017, for the alleged offences punishable under Sections 302, 120(b), 294(b) of IPC., in Crime No.615 of 2017, on the file of the respondent police. Subsequently, the petitioner filed a bail application in Cr.M.P.No.2674 of 2017 before the Principal Sessions Court, Thoothukudi and the same was dismissed. This is the third bail application.

2. The case of the prosecution is that due to business rivalry and previous enmity, on 21.07.2017, the petitioner along with other accused persons waylaid the deceased and brutally attacked the deceased person with Aruval and the deceased sustained fatal injuries and died on the spot. The earlier bail application filed before this Court was dismissed by this Court.

3. The case of the petitioner is that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that there was group clash and the petitioner is only a driver and he is no way connected with the crime and his name was falsely implicated in this case.

<https://hcservices.ecourts.gov.in/hcservices/>

4. Heard the learned Government Advocate (Crl. Side) appearing for the State submitted that there are totally four accused in this



case and all of them were arrested and remanded to judicial custody and no one is released on bail. He further submitted that if the petitioner is released on bail, he will tamper the evidence and interfere with the investigation of the respondent police and hence, he vehemently objected to grant bail to the petitioner.

5. Considering the submission made by the learned Government Advocate (Crl.Side) appearing for the State that the investigation is in progress and considering the gravity of the offence levelled against the petitioner, at this stage, the question of granting bail does not arise. Hence, I am not inclined to grant bail to the petitioner and accordingly, this Criminal Original Petition is dismissed.

sd/-
25/10/2017

/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE
SOUTH POLICE STATION,
THOOTHUKUDI DISTRICT.
- 2 THE SUPERINTENDENT OF CENTRAL PRISON,
PALAYAMKOTTAI, TIRUNELVELI.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH Court, MADURAI.

ORDER
IN
CRL OP (MD) No.14295 of 2017
Date : 25/10/2017

MV:RR:SAR1:07/11/2017/2P/4C