



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

Monday, the Thirteenth day of November Two Thousand Seventeen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP (MD) No.15423 of 2017

PONSEELAN @ SINGAM

... PETITIONER/ACCUSED RANK NOT KNOWN

Vs

STATE REP BY
THE INSPECTOR OF POLICE
ERAL POLICE STATION,
THOOTHUKUDI DISTRICT
(CRIME NO.332 OF 2017)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.N.MOHIDEEN BASHA Advocate

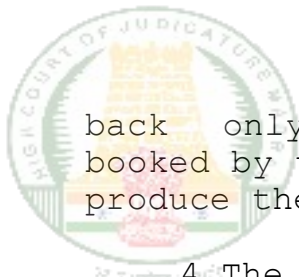
For Respondent : MR.K.ANBARASAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner/accused No.1, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 302, 341, 147, 148, 294(b) & 120 (b) of IPC, in Crime No.332 of 2017, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant and the petitioner/A1 are close friends. They were partners in the several illegal businesses and the deceased person was willing to marry the petitioner's sister. However, that request was refused by the petitioner. Thereafter, enmity was developed in between them. Admittedly, both were accused in several cases. However, due to the matrimonial dispute they were separated each other and in order to wreck vengeance against the deceased person, the petitioner arranged cooli to finish the life of the deceased person. Accordingly, other accused person attacked the deceased person in the farm land belonging to one Fernando and thereby he lost his life in the farm land and the accused persons also attacked the defacto complainant. The defacto complainant who is the brother-in-law of the deceased person on seeing the dead body in the farm land, gave a complaint against the petitioner before the respondent police.



back only on 24.10.2017, for which he produced the flight ticket booked by the petitioner on 14.10.2017. However, he did not able to produce the return ticket.

4.The learned counsel for the petitioner further submits that the petitioner did not commit any offence as lodged by the prosecution. Based on the confession statement given by the other accused persons, the petitioner was implicated in the above said offence and the Investigation is also completed. Accordingly, he prays for bail.

5.The learned Government Advocate (Crl.side) appearing for the State would submit that the petitioner retracted the prosecution case and there is a previous case under Arms Act and Section 307 of IPC, is pending against the petitioner. The petitioner arranged accused person in order to finish the deceased person's life and investigation is in initial stage and he oppose the grant of bail.

6.Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate (Crl.side), I am not inclined to grant anticipatory bail to the petitioner. Accordingly, this Anticipatory bail petition is dismissed.

sd/-

13/11/2017

/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE
ERAL POLICE STATION, THOOTHUKUDI DISTRICT
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

ORDER

IN

CRL OP(MD) No.15423 of 2017

Date :13/11/2017

SMA/RR/SAR-2/17.11.2017:2P/3C