



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

Thursday, the Twenty Second day of February Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP(MD) No.1989 of 2018

B.VIGNESHKUMAR,

... PETITIONER/ACCUSED

Vs

THE INSPECTOR OF POLICE,
KURANKANI POLICE STATION,
THENI DISTRICT.
(IN CRIME NO.74 OF 2017)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.MALAIKANI Advocate

For Respondent : MR.K.SUYAMBULINGA BHARATHI,
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 offence punishable under Section 302 I.P.C., in Crime No.74 of 2017, seeks anticipatory bail.

2.The case of the prosecution is that based on the information given by one Muthaiya, the defacto complainant, who is the Village Administrative Officer, went to Manappatti Bus Stop and found that two male bodies were lying near the said Manappatti Bus Stop. On enquiry, the defacto complainant came to know that the deceased were belong to the State of Kerala. Hence, a case has been registered for the above said offences.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person, he has been falsely implicated in this case, further added that he has not committed any offence as alleged, and pleads for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate(Criminal Side) appearing for the State submitted that during the time of occurrence the petitioner and one another accused came in a Innova Car, committed the offence and the deceased were belong to the State of Kerala. The Car, which was used for the commission of offence has not been recovered. According to him, investigation is still pending.



5. The submissions made by the learned counsel appearing on either side are considered. It is alleged that during the time of occurrence, this petitioner and one another accused came in a Innova Car and committed the offence. As of now, the car, which was used for the commission of offence was not recovered. Even though the third accused was granted bail after completing the period of incarceration of 60 days, it is not a ground for considering the relief sought for by this petitioner. So far, investigation is not completed. Further, this case has been registered for the offence under Section 302 I.P.C., So, considering the facts and circumstances of the case, if this type of petitioner is granted with anticipatory bail, he may tamper the witness and hamper the investigation. Hence, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

sd/-
22/02/2018

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

TO

1 THE INSPECTOR OF POLICE,
KURANKANI POLICE STATION, THENI DISTRICT.

2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

+1. CC to M/S.S.MALAIKANI Advocate SR.No.2913

ORDER
IN
CRL OP(MD) No.1989 of 2018
Date :22/02/2018

SMA/CSL/SAR-3/07.03.2018:2P/4C