



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

Monday, the Twenty Sixth day of February Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP (MD) No.2823 of 2018

NALLIESH KUMAR

... PETITIONER / ACCUSED
Rank Not Known

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
AVANIYAPURAM POLICE STATION,
MADURAI CITY.
(CRIME NO.85 OF 2018)

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.P.T.RAMESH RAJA Advocate

For Respondent : Mr.SUYAMBULINGA BHARATHI
Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

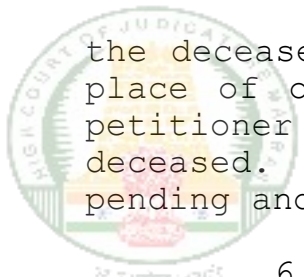
The petitioner, who is arrayed as accused, apprehending arrest at the hands of the respondent Police for the offences punishable under Sections 147, 148, 294(b), 324 and 307 of IPC @ 302 of IPC, in Crime No.85 of 2018, seeks anticipatory bail.

2.The case of the prosecution is that due to previous motive, on 21.01.2018, the petitioner herein and other accused are said to have assaulted the deceased with deadly weapons and caused grievous injuries, thereby, the deceased died on 30.01.2018. Thus, on complaint, a case has been registered against the petitioner.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in this case.

4.The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that the investigation is under progress.

5.The submissions made by the learned counsel on either side are considered. The petitioner being the 12th accused in this case, with a common intention assembled with other accused and assaulted



the deceased with deadly weapon, after inviting the deceased to the place of occurrence. So, the manner of offence committed by the petitioner shows that they are having an intention to kill the deceased. According to the prosecution, the investigation is still pending and the remaining accused are yet to be arrested.

6. Considering the facts and circumstances of the case and also considering the fact that if the petitioner is granted anticipatory bail, there may be a chance for tampering the witnesses and hampering the investigation, this Court is not inclined to grant anticipatory bail to the petitioners. Accordingly, this Criminal Original Petition is dismissed.

sd/-

26/02/2018

/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE,
AVANIYAPURAM POLICE STATION,
MADURAI CITY.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

trp

JAM/05/03/2018/ PM-PN / SAR 2 / 2p-3c

ORDER

IN

CRL OP(MD) No.2823 of 2018

Date :26/02/2018