



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

Thursday, the Twenty Second day of March Two Thousand and Eighteen

PRESENT

**The Hon`ble Mr.Justice R.PONGIAPPAN**

CRL OP (MD) No.4305 of 2018

MUTHU KANNAN

... PETITIONER / ACCUSED No.3

Vs

THE STATE REP. BY  
THE INSPECTOR OF POLICE,  
KADUPATTI POLICE STATION,  
MADURAI DISTRICT.  
(CRIME NO. 336 OF 2017).

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.M.PITCHAI MUTHU Advocate

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

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

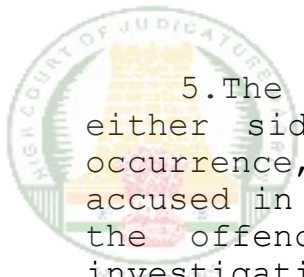
ORDER : The Court Made the following order :-

The petitioner/A3, who apprehends arrest at the hands of the respondent Police for the alleged offences punishable under Sections 147, 148, 341, 294(b) and 302 I.P.C., in Crime No.336 of 2017, seeks anticipatory bail.

2.The case of the prosecution is that on 18.10.2017, due to previous enmity, the petitioner and other accused in this case assaulted one chellathurai by using the deadly weapons, due to injuries sustained by him, he died. 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, 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 totally there are nine accused in this case. The petitioner herein is arrayed as A9. According to him, investigation is still pending.



5.The submissions made by the learned counsel appearing on either side are considered. It is alleged, during the time of occurrence, due to previous enmity, the petitioner and other eight accused in this case assaulted the defacto complainant and committed the offence of murder. According to prosecution, as of now, investigation has not been completed. Thereby, considering the gravity of offence committed by the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, the Criminal Original Petition is dismissed.

sd/-  
22/03/2018

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

TO

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

ORDER  
IN  
CRL OP(MD) No.4305 of 2018  
Date :22/03/2018

SDS/PMI/SAR-4/12.04.2018/2P/3C