



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

Monday, the Second day of April Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP (MD) No.5017 of 2018

S.MARIYA KARTHI @ MOTTAI KARTHI

... PETITIONER/A-5

Vs

STATE REPRESENTED BY,
THE INSPECTOR OF POLICE,
DINDIGUL TOWN SOUTH POLICE STATION,
DINDIGUL DISTRICT.
(CRIME NO.85 OF 2018)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.SOOSAI ROBERT Advocate

For Respondent : M/S.A.P.G.OHM CHAIRMA PRABHU,
Government 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 No.5, apprehending arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 341, 302 and 506(ii) IPC in Crime No.85 of 2018, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant's daughter namely Geethalakshmi fell in love with one Alex. The main accused Alex has lodged a complaint before the All Women Police Station, Dindigul stating that he was in love with the defacto complainant's daughter and wanted to marry her and since Geethalakshmi is a minor, the police has advised the defacto complainant's daughter and sent her along with the defacto complainant. Subsequent to that, she committed suicide by hanging. Following that, the main accused namely Alex along with the other accused and including the petitioner herein murdered the defacto complainant's son, namely Dhatchanamoorthy. Therefore, the defacto complainant has lodged the present complaint, based on which, the respondent police registered a case in Crime No.85 of



2018, on the file of the Inspector of Police, Dindigul Town South Police Station, Dindigul District.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed any of the offences as alleged by the prosecution.

4.The learned Government Advocate (Crl.side) appearing for the State submitted that the investigation is still pending.

5.Considering the facts and circumstances of the case and also considering the fact that the petitioner has been shown as accused No.5 in Crime No.85 of 2018, on the file of the Inspector of Police, Dindigul Town South Police Station, Dindigul District and the major offence is one under Section 302 IPC and since this is a case of murder and there is nothing on record to show that the petitioner has been falsely implicated in this present case, this Court is not inclined to grant anticipatory bail to the petitioner. Therefore, the Criminal Original Petition is dismissed.

sd/-
02/04/2018

/ TRUE COPY /

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

TO

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

ORDER
IN
CRL OP(MD) No.5017 of 2018
Date :02/04/2018

PK/RR/SAR-1/09.04.2018 : 2P/3C