



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

Thursday, the Eleventh day of January Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP (MD) No.533 of 2018

LAKSHMANAN

... PETITIONER / ACCUSED No.1

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE
SOOLAKARAI POLICE STATION,
VIRUDHUNAGAR DISTRICT ,
(CRIME NO.525/2017)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.M.JOTHI BASU Advocate

For Respondent : M/S S.BHARATHI, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

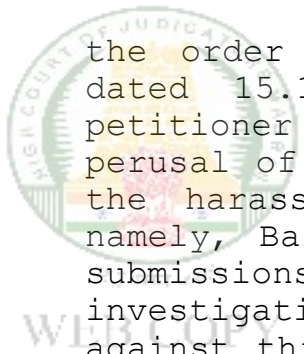
The petitioner, who apprehends arrest at the hands of the respondent Police for the offence punishable under Section 309 r/w 109 IPC @ 306 IPC in Crime No.525 of 2017 on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that due to money transaction between the first accused and the deceased, the petitioner along with other accused have threatened and harassed the deceased with dire consequences. Due to which, the deceased consumed poison and died in the hospital.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the petitioner has not committed any offence as alleged by the prosecution and he is no way connected with the offences, and pleads for grant of anticipatory bail to the petitioner.

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

5.The submissions made by the learned counsel on either side are considered. This case has been registered for the offences punishable under Section 309 r/w 109 IPC @ 306 IPC. The other three accused in this case were already granted anticipatory bail as per



the order passed by this Court in Crl.O.P.(MD)No.17312 of 2017, dated 15.12.2017. Even though the learned counsel for the petitioner submitted so many reasons for allowing this petition, on perusal of the suicidal note written by the deceased, only due to the harassment made by this petitioner along with one accused namely, Balakrishnan, the deceased committed suicide. As per the submissions of the learned Government Advocate (Crl.side), investigation is still pending. Considering the overt act attributed against this petitioner, this Court came to the conclusion that if this type of accused is released on bail, he may tamper the witnesses and hamper the investigation.

6.Taking all the above said aspects into consideration and having regard to the nature of offence, this Court is not inclined to grant anticipatory bail to the petitioner at this stage. Accordingly, this Criminal Original petition is dismissed.

sd/-
11/01/2018

/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE
SOOLAKARAI POLICE STATION, VIRUDHUNAGAR DT.,
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

JAM/24/01/2018/PM-PN/ SAR 1 / 2P-3C

ORDER
IN
CRL OP(MD) No.533 of 2018
Date :11/01/2018