



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

Thursday, the Third day of May Two Thousand Eighteen

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP (MD) No.7595 of 2018

C.BIJI

... PETITIONER/ACCUSED 2

Vs

STATE THROUGH,
THE INSEPCTOR OF POLICE,
KALIYAKKAVILAI POLICE STATION,
CRIME NO. 381 OF 2017

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.M.CHELLAPANDIAN, Advocate

For Respondent : M/S.M.ASOKAN, Government Advocate

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

ORDER : The Court Made the following order :-

The petitioner, who apprehend arrest at the hands of the respondent Police for the offence punishable under Section 174 Cr.P.C @ 302 of IPC in Crime No.381 of 2017 on the file of the respondent Police, seeks anticipatory bail.

2.The allegation against the petitioner is that on 27.10.2017 the petitioner in a drunken mode went to the lodge of A1 and shouted in front of the lodge. A1 and A2 assaulted the deceased and he succumbed injuries on 28.10.2017.

3. On the side of the petitioner it is stated that the petitioner is only A2. The motive for the Suspicion death of the deceased is stated to be due to the illicit intimacy of A1 with the wife of the deceased and on that day A1 assaulted the deceased with wooden log. He further submitted that there is no other overt acts as against A2, except that A2 is friend of A1. No previous case is pending against A2. A1 was already enlarged on bail and prays the petitioner to be released on bail.

4. On the side of the respondent it is stated that the co-accused have already been released on bail after the completion of the statutory period and the investigation has been completed but charge sheet is not yet numbered.



5. It is stated that A1 and A2 have assaulted the deceased with wooden log and the offence of murder is grave in nature. Considering this facts, this Court is not inclined to grant anticipatory bail to the petitioner. Hence the anticipatory bail petition is dismissed.

sd/-
03/05/2018

/ TRUE COPY /

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

TO

- 1 THE INSEPCTOR OF POLICE,
KALIYAKKAVILAI POLICE STATION,
KANYAKUMARI DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.M.SHAKTHI KUMAR, Advocate SR.No.8205

ORDER
IN
CRL OP (MD) No.7595 of 2018
Date : 03/05/2018

PK/PMI/VK/07.05.2018 : 2P/4C