



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

Wednesday, the Nineteenth day of December Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.21022 of 2018

MURUGAN

... PETITIONER / ACCUSED RANK NOT KNOWN

Vs

STATE REP.BY

THE INSPECTOR OF POLICE,

MUTHIAHPURAM POLICE STATION, THOOTHUKUDI DISTRICT.

(CRIME .NO.331 OF 2018)

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.R.JOHN SATHYAN Advocate

For Respondent : Mr.K.SUYAMBULINGA BHARATHI, Govt. Advocate

(Crl. Side)

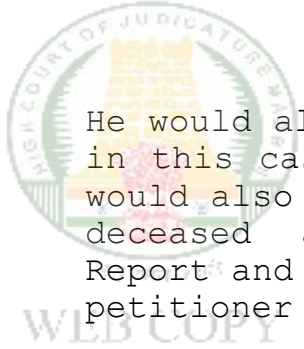
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 302 and 506(ii) of IPC in Cr.No.331 of 2018 seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant's uncle one Thangapandi was murdered by a gang for which a case was registered by the Kulathur Police Station and recently they were acquitted. From there on Thangapandi and Vellapandi family had grudge over the defacto complainant uncle's family. On 14.10.2018 at 12.30 p.m the defacto complainant's brother-in-law who is the deceased in this case was attacked and he sustained injuries in head and various parts of the body. The deceased took a stone and hit against the petitioner and he also sustained injuries. At that time one accused came to the place of occurrence, took aruval and started attacking the deceased. While the deceased made sound the accused left the place Thereafter the defacto complainant took the deceased to the Government Hospital, Tuticorin where the deceased died. Thereafter the respondent police registered a case against the petitioner.

3. The learned counsel for the petitioner would submit that the deceased is having wreck vengeance against the first accused as the first accused has murdered his paternal uncle in the year 1996.



He would also submit that the petitioner has been falsely implicated in this case and he has nothing to do with the alleged offence. He would also submit that the petitioner is the distant relative of the deceased and his name is not found place in the First Information Report and there is no specific overt act attributed as against the petitioner

4. The learned Government Advocate(Crl.Side) would submit that. He would also submit that the first accused in this case who has given confession statement had categorically stated about the role played by this petitioner. He would also submit that the investigation in this case is at the crucial stage and the some more accused have to be arrested and there are materials against the petitioners that he has committed the offence.

5. Taking into consideration the facts and circumstances of the case and the fact that there are materials against this petitioner to show thathe has committed the offence, this Court is not inclined to grant anticipatory bail to the petitioner. Hence this anticipatory bail application is dismissed.

sd/-

19/12/2018

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

TO

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

PS/JC/SAR-3/08.01.2019/2P/3C

ORDER

IN

CRL OP(MD) No.21022 of 2018

Date :19/12/2018