



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

Monday, the Eleventh day of February Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP (MD) No.2124 of 2019

DEVARAJ

... PETITIONER / ACCUSED No. 4

Vs

STATE: REP.

THE INSPECTOR OF POLICE
UDAYALIPATTI POLICE STATION,
PUDUKKOTTAI DISTRICT
(CRIME NO.138/2018)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.M.VIJI Advocate

For Respondent : MR.S.CHANDRASEKAR, ADDITIONAL PUBLIC PROSECUTOR

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 under Sections 147, 148, 294(b), 324 and 302 of IPC, in Cr.No.138 of 2018 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that A1 and deceased are brothers. A2 is son-in-law, A3 is son of A1, the petitioner is brother of A2, son-in-law of A1. The deceased demanded to partition the joint family property from A1, for which there was a dispute arose between them. Hence, the petitioners attacked the defacto complainant with aruval. Thereby an altercation was arose between them, in which the defacto complainant's father died. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person. A1 was already arrested in this case and the petitioner is only relative of A2 and he was falsely implicated.

4.The learned Government Advocate (Crl.Side) appearing for the State would submit that investigation is in beginning stage and A1, A2 and A3 were surrendered before the Law Enforcing Agency. But,



others are absconding accused and vehemently opposed to entertain this petition.

5. Considering the facts and circumstances of this case and since the petitioner along with other accused attacked the deceased, for which the deceased lost his life and if the petitioner is enlarged on anticipatory bail, it will affect the progress of investigation, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, these criminal original petitions are dismissed.

sd/-
11/02/2019

/ TRUE COPY /

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

TO

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

ORDER
IN
CRL OP(MD) No.2124 of 2019
Date :11/02/2019

MSI/VR/SAR-III/15.02.2019-2P/3C