



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

(Criminal Jurisdiction)

Date : 20/06/2019

WEB COPY

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD) . No.7076 of 2019

Mehanathan

... Petitioner/Accused No.4

Vs

State through,
The Inspector of Police,
Kabisthalam Police Station,
Thanjavur District.
(Crime No.54/2019).

... Respondent/Complainant

For Petitioner : M/s.R. Alagumani,
Advocate.

For Respondent : V.Neelakandan,
Govt.Advocate (Crl.Side).

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

PRAYER :-

For Anticipatory Bail in Crime No. 54 of 2019 on the file of
the Respondent Police

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the
respondent police for the offences punishable under Sections 294(b),
324, 506(ii), 307 and 302 of IPC, seeks anticipatory bail.

2. Heard both sides.

3.The learned counsel appearing for the petitioner has
submitted that as per the First Information Report, due to dispute
regarding grazing of cattle, on the date of occurrence the
petitioner along with others abused the defacto complainant and
assaulted him, due to which he died. He further submitted that the
petitioner is not at all present in the said occurrence and he is a
college student. He would also submit that due to wreck vengeance,
a false case has been foisted against the petitioner. He would



further submit that no previous case is pending against the petitioner. He would also submit that co-accused in this case was granted bail by this Court. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that due to dispute regarding grazing of cattle, on the date of occurrence the petitioner along with others abused the defacto complainant and assaulted him, due to which he died. The petitioner herein has also attacked the deceased with aruval. He further submitted that the name of the petitioner is found place in the First Information Report. He would also submit that investigation is still pending and custodial interrogation is absolutely necessary. Hence he opposed to grant anticipatory bail to the petitioner.

5. Taking into consideration the facts and circumstances of the case and also considering the fact that as per the First Information Report, the petitioner was present in the scene of occurrence and also the name of the petitioner found place in the First Information Report and also taking into consideration of the submissions made by the learned Additional Public Prosecutor that the custodial interrogation is absolutely necessary, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Hence the anticipatory bail petition is dismissed.

sd/-

20/06/2019

/ TRUE COPY /

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

TO

1. THE INSPECTOR OF POLICE
KABISTHALAM POLICE STATION,
THANJAVUR DISTRICT.

2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.7076 of 2019

Date : 20/06/2019

aav

PK/JC/SAR-1/08.07.2019 : 2P/3C