



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10/07/2019

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD) . No.9322 of 2019

1. Chitra,
2. Usha,,
3. Vasantha, ... Petitioners/Accused Nos.5,6 & 7

Vs

State represented by
The Inspector of Police,
Arimalam Police Station,
Pudukkottai District.
(Crime No.16/2019). ... Respondent/Complainant

Muthu ... Intervene Petitioner/Defacto Compalinant
IN CRL MP(MD).NO.6200 of 2019
in CRL OP(MD).NO.9322 of 2019

For Petitioners : M/s.J.William Christopher,
Advocate.
For Respondent : Mr.V.Neelakandan,
Additional Public Prosecutor
For Intervenor : Mr.K.ARUNRAJ, Advocate

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

PRAYER :-

For Anticipatory bail in Cr.No.16/2019 on the file of the respondent police.

ORDER : The Court Made the following order :-

The petitioners/ Accused no.5 to 7, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 294(b), 324, 506(ii) and 307 of IPC @ 147, 148, 294(b), 324, 506(ii), 307 and 302 of IPC seeks anticipatory bail.



2. Heard both sides.

3. The learned counsel appearing for the petitioners has submitted that the petitioners have not committed any offence as alleged by the prosecution. He would further submit that the petitioners herein only attacked the defacto complainant with wooden log and they have not attacked the deceased. He would also submit that since the petitioner's happens to be the family members of other accused, they have been implicated in the above case. Hence he prayed to grant anticipatory bail to the petitioner.

4. The learned counsel for the intervenor would submit that the petitioners herein have assaulted the defacto complainant with wooden log and still she is taking treatment. Hence he opposed to grant anticipatory bail to the petitioners.

5. The learned Additional Public Prosecutor appearing for the respondent would submit that there are totally seven accused in this case and the petitioners herein are A5 to A7. He further submitted that A1 to A3 in this case was arrested and released on bail. The case of the prosecution is that there was some dispute between the husband of the defacto complainant and A1 with regard to construction of temple and also sharing of water in a common bore well, for which the petitioners herein along with others assaulted the deceased with deadly weapons and he died. He further submitted that for investigation purpose the arrest of the petitioners is absolutely necessary. Hence he strongly opposed to grant anticipatory bail to the petitioners.

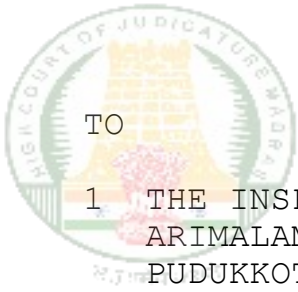
6. Taking into consideration all the aforesaid facts and also the submissions made by the learned Additional Public Prosecutor that weapons yet to be recovered and also considering the fact that petitioners herein have assaulted the defacto complainant with wooden log and the custodial interrogation of the petitioners is absolutely necessary, this Court is not inclined to grant anticipatory bail to the petitioners.

7. Hence the anticipatory bail application is dismissed.

sd/-
10/07/2019

/ TRUE COPY /

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



TO

1 THE INSPECTOR OF POLICE,
ARIMALAM POLICE STATION,
PUDUKKOTTAI DISTRICT.

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

+1. CC to Mr.K.ARUNRAJ, Advocate SR.No.11640

ORDER
IN
CRL OP(MD) No.9322 of 2019
Date :10/07/2019

AE/JC/SAR-II (18.07.2019) 3P 4C