



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

Monday, the Fourth day of February Two Thousand Nineteen

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PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.22376 of 2018

ALAGUPANDI

... PETITIONER / ACCUSED NO.2

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
MANAMADURAI POLICE STATION,
SIVAGANGAI DISTRICT.
(CRIME.NO.65/2014)

... RESPONDENT / COMPLAINANT

For Petitioner : Mr. R. BALAMURUGANANTHAM Advocate

For Respondent : Mr.S.CHANDRASEKAR,Additional Public Prosecutor

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

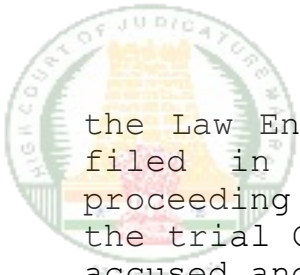
ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 147, 148, 341 and 302 IPC in Cr.No.65 of 2014 on the file of the respondent police, seeks anticipatory bail.

2.It is the case of the prosecution that on 11.02.2014 at about 07.00 p.m., at Idaikattur in front of Mustafa's house, the petitioner herein / second accused along with other accused unlawfully assembled and due to previous enmity, attacked one Manickavel with deadly weapons, thereby the deceased lost his life on the spot. Thereafter, the Law Enforcing Agency has registered the case.

3.The learned counsel appearing for the petitioner would submit that the petitioner did not commit any offence as alleged by the prosecution. There was a family dispute between the deceased and the first accused. The second accused / petitioner herein is the relative of the first accused. Therefore, the petitioner has been falsely implicated in this case.

4.The learned Government Advocate (Crl.Side) appearing for the respondent State would submit that investigation has not yet been completed. The other accused in this case is already arrested by



the Law Enforcing Agency and absconding charge sheet has also been filed in respect of the petitioner herein and the committal proceeding is pending, since the petitioner has not appeared before the trial Court. The Law Enforcing Agency is not able to secure the accused and they are not able to complete the investigation.

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5.Per contra, the learned counsel appearing for the petitioner would submit that the petitioner is ready to surrender before the Law Enforcing Agency for completing the investigation.

6.Considering the facts and circumstances of the case and taking note of the fact that investigation is not yet completed, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

sd/-

04/02/2019

/ TRUE COPY /

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

TO

1 THE INSPECTOR OF POLICE,
MANAMADURAI POLICE STATION,
SIVAGANGAI DISTRICT.

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

+1. CC to MR. R. BALAMURUGANANTHAM Advocate SR.No.2351

PS/JC/SAR-4/08/.02.2019/2P/4C

ORDER

IN

CRL OP(MD) No.22376 of 2018

Date :04/02/2019