



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19/07/2019

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD) . No.10011 of 2019

Rajesh @ Rajesh Kumar, ... Petitioner/Accused No.3

Vs

The State Rep by its,
The Inspector of Police,
Checkanaurani Police Station,
Madurai District. (Crime No.109/2019).

... Respondent/Complainant

For Petitioner : M/s.A.Karthik,
Advocate.

For Respondent : Mr.V. Neelakandan,
Additional Public Prosecutor

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

PRAYER :-

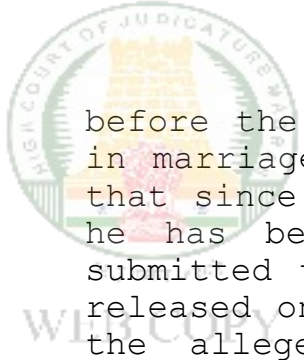
for Anticipatory Bail in Crime No.109/2019 on the file of the
Respondent Police.

ORDER : The Court Made the following order :-

This petition has been filed by the petitioner/ accused no.3
seeking bail for the alleged offence under Sections 147, 148,363 and
302 of IPC

2. Heard both sides

3. The learned counsel for the petitioner has submitted that
A1's brother's wife namely Indira is a married woman and she got two
children. He further submitted that the deceased and the said Indira
loved each other and eloped. He further submitted that with regard
to the said occurrence, complaint was lodged before the respondent
police and during enquiry the said Indira and the deceased appeared



before the police and they categorically stated that they will get in marriage and thereafter the deceased died. He further submitted that since the petitioner herein happens to be the relative of A1, he has been falsely implicated in the above case. He further submitted that already A1, 2, 4 and 5 were arrested and subsequently released on bail by the Sessions Court. He further submitted that the alleged occurrence is said to have been taken place on 27.02.2019 and by this time a major portion of the investigation might have been completed and there is no need of custodial interrogation of the petitioner. Therefore he prayed to grant bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that on 27.02.2019 at about 04.00 p.m the petitioner herein and A1 have contacted the defacto complainant through cell phone no.9659070631 and informed them that they have kidnapped the deceased and subsequently at about 07.15 p.m they brought the deceased in a car bearing registration number TN 67 AW 3854 to the house of the defacto complainant and in front of the said house, all the accused have pulled down the deceased and indiscriminately attacked the deceased with deadly weapons and committed murder. He further submitted that the weapon which is said to have been used by the petitioner has to be recovered and custodial interrogation of the petitioner is absolutely necessary and therefore he strongly opposed to grant bail to the petitioner.

5. In the First Information Report, it has been clearly stated that the petitioner and other accused persons have brought the deceased in a car bearing Reg.No. TN 69 AW 3854 to the house of the defacto complainant and in front of the said house they have pulled down the deceased from the car and indiscriminately attacked him with deadly weapons and caused death.

6. Taking into consideration of the aforesaid facts and also the submissions made by the learned Additional Public Prosecutor, that for recovery of the weapon, custodial interrogation of the petitioner is necessary, this Court is not inclined to grant anticipatory bail to the petitioner.

7. Hence the anticipatory bail petition is dismissed.

sd/-
19/07/2019

/ TRUE COPY /

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



TO

1 THE INSPECTOR OF POLICE
CHECKANAUANI POLICE STATION, MADURAI DISTRICT.

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

ORDER
IN
CRL OP(MD) No.10011 of 2019
Date :19/07/2019

KM/JC/SAR-III (02.08.2019) 3P 3C