



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 13/08/2019

PRESENT

The Hon'ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD). No.11305 of 2019

M.A.Sundarson ... Petitioner/Accused - 3
Vs

The State of Tamilnadu,
Rep.by the Inspector of Police,
Vandasari Polic Station,
Kanyakumari District.
(Crime No.87 of 2019). ... Respondent/Complainant

For Petitioner : M/s.K.Vamanan,
Advocate.

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

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

PRAYER :-

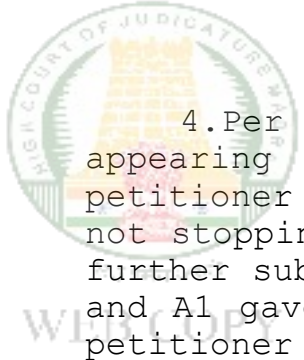
for Anticipatory Bail in Crime No.87 of 2019 on the file of the Respondent Police.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 174 Cr.P.C @ 302 of IPC in Crime No.87 of 2019, seeks anticipatory bail.

2. Heard both sides.

3.The learned counsel appearing for the petitioner has submitted that FIR was originally registered under Section 174 Cr.P.C and subsequently the case was altered into under Section 302 of IPC. He further submitted that based on the confession said to have been given by A1, the petitioner herein has been arrayed as A3 and except the said material no other material is available to implicate the petitioner and therefore, he prayed to grant anticipatory bail to the petitioner.



4.Per contra, the learned Additional Public Prosecutor appearing for the respondent police has submitted that the petitioner herein and others have attacked one Sivamani as he was not stopping the habit of drinking liquor and committed murder. He further submitted that during investigation, A1 and A2 were arrested and A1 gave confession voluntarily in which he has stated that the petitioner herein also attacked the deceased and for investigation purpose, the custodial interrogation of the petitioner is absolutely necessary and therefore, he strongly opposed this petition.

5.Taking into consideration the submission made by the learned Additional Public Prosecutor that A1 gave confession stating that the petitioner herein also attacked the deceased and for investigation purpose the custodial interrogation of the petitioner is absolutely necessary, this Court is not inclined to grant anticipatory bail to the petitioner.

6.Hence, this criminal original petition is dismissed.

sd/-
13/08/2019

/ TRUE COPY /

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

TO

1 THE INSPECTOR OF POLICE
VANDASERI POLIC STATION,
KANYAKUMARI DISTRICT

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

+1 CC to M/s.K.VAMANAN, Advocate (SR-13601[I] dated 16/08/2019)

ORDER
IN
CRL OP(MD) No.11305 of 2019
Date :13/08/2019

VSG
ES/JC/SAR 2/21.08.2019/2P/4C