

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Thirteenth day of February Two Thousand Twenty

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.3114 of 2020

1 MALLIGA

[PETITIONERS / ACCUSED]

2 PRAPHA @ PRABHAVATHY

Vs

STATE REP.BY

[RESPONDENT]

THE INSPECTOR OF POLICE,

MUTHIALPET POLICE STATION,

MUTHIALPET CIRCLE PUDUCHERRY.

CR.NO.94/2019

For Petitioner : M/S.M.ILLIYAS Advocate

For Respondent : MR. BHARATH CHAKRAVARTHY,

ADDITIONAL PUBLIC PROSECUTOR [PUDUCHERRY]

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

ORDER : The Court Made the following order :-

The petitioners who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 148, 341, 302, 109 IPC r/w. 149 IPC @ by 120(B), 148, 341, 302, 109 r/w.149 IPC in Cr.No.94 of 2019 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that in an earlier occasion one Murugan @ Pandian was murdered by the deceased. Inorder to wreck vengeance, the petitioners who are the mother and sister of the said Murugan @ Pandian arranged the other accused to commit murder of the deceased. Based on the complaint lodged by the son of the deceased, the case came to be registered.

3.The learned counsel appearing for the petitioners would submit that the petitioners have not committed any offence as alleged by the prosecution. He would further submit that both the petitioners are ladies and prayed for grant of anticipatory bail to the petitioners.

4.The learned Additional Public Prosecutor (Puducherry) submitted that in an earlier occasion one Murugan @ Pandian was murdered by the deceased. Inorder to wreck vengeance, the petitioners who are the mother and sister of the said Murugan @ Pandian arranged hooligans to commit murder of the deceased and hence, custodial interrogation of the petitioners is necessary. He would further submit that if the petitioners are granted anticipatory bail, it will create law and order problem in the area. Accordingly, he prayed for dismissal of the petition.

5.Heard the arguments advanced on either side and perused the materials available on record.

6.Considering the submission made by the learned Public Prosecutor (Puducherry) that custodial interrogation of the petitioners is necessary and that if the petitioners are granted anticipatory bail, it will affect the progress of investigation, I am not inclined to grant the relief of anticipatory bail to the petitioners. This criminal original petition is accordingly dismissed.

-sd/-
13/02/2020

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE INSPECTOR OF POLICE,
MUTHIALPET POLICE STATION,
MUTHIALPET CIRCLE PUDUCHERRY.

2 THE PUBLIC PROSECUTOR
PUDUCHERRY.

+1 CC to M/S.M.ILLIYAS Advocate on payment of necessary charges
SR.No.2929

CRL OP.3114/2020

Date :13/02/2020

cs 19/02/2020