

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.06.2020

CORAM

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No. 9092 of 2020

Inbasakthi
No.205, Fourth Street,
Keezharungunam Post,
Kilarungunam,
Cuddalore – 607105.

... Petitioner

Vs.

Station House Officer,
(Ref: Cr.No.19/2019 dated 18.01.2019)
D1, Nellikuppam Police Station,
Cuddalore to Panruti Main Road,
Panruti Taluka, Cuddalore – 607 105.

... Respondent

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C.,
praying to enlarge the petitioner on bail in the event of his arrest in
Crime No. 19 of 2019 on the file of the respondent police.

For Petitioner	: Mr. Adith Narayanan
For Respondent	: Mr.M.Mohamed Riyaz, Additional Public Prosecutor



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ORDER

The petitioner who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147,148, 294(b), 452, 324 and 302 of IPC with Sections 3 and 4(b) of Explosive Substances Act, 1908 in Crime No. 19 of 2019, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused persons has committed the offence of murder by using country bomb. Further each and every accused has specific overt act in the occurrence. Hence the complaint.

3. The learned counsel for the petitioner submitted that it is an offence under section 302 of IPC. Now the investigation has been completed and final report also filed. Therefore, custodial interrogation of the petitioner does not arise. He would further submit that entire allegations are false and no specific overt act was against the petitioner. Hence, he seeks bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that from the F.I.R it is seen that totally there are 16 accused and each and every accused have specific overt act and they used country bomb to murder the deceased. He further submitted that the petitioner herein arrayed as 7th accused and the crime is of the year 2019 and till today the petitioner is absconding and evading arrest by the respondent police. Hence, he vehemently opposed the grant of bail to the petitioner.

5. It is seen from the F.I.R that the petitioner along with other accused persons attacked the deceased with deadly weapons and also used country bomb. This is a case of Explosive Substances Act, 1908. Therefore, this Court is not inclined to grant anticipatory bail to the petitioner and hence, the petition stands dismissed.

26.06.2020

Index: Yes/No
Internet: Yes/No
Speaking/Non-Speaking order
smn

G.K.ILANTHIRAIYAN, J

smn

To

1. The Judicial Magistrate No.1, Cuddalore.
2. The Station House Officer,
D1, Nellikuppam Police Station,
Cuddalore to Panruti Main Road,
Panruti Taluka, Cuddalore – 607 105.
3. The Public Prosecutor,
Madras High Court,
Chennai.



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