

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.10.2020

CORAM

THE HONOURABLE MR. JUSTICE A. D. JAGADISH CHANDIRA

CrI.O.P.No.14625 of 2020

N.Vinoth Kumar

... Petitioner

Vs.

The State Represented by,
The Inspector of Police,
C-1, Kattoor Police Station,
Coimbatore District.
(Cr.No.1283 of 2020)

... Respondent

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C., to enlarge the petitioner on Anticipatory bail in the event of his arrest in Connection with the Crime No.1283 of 2020 pending on the file of the respondent police.

For Petitioner : Mr.S.Kingston Jerold

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

ORDER

(This case has been heard through video conference)

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 148, 34, 120 B, 302 and 506 (ii) of IPC, in Crime No.1283 of 2020, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the de-facto complainant viz., Jayapal is that due to previous enmity, the petitioner along with other accused had committed the murder of one Biju, who is a friend of the de-facto complainant. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely fixed in this case due to previous enmity. He would further submit that he has not committed any offence as alleged by the prosecution. Hence, he prays for grant of Anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that the petitioner and other accused are friends and they are having previous enmity with the deceased. They conspired together and committed the murder of the victim on 13.09.2020. He would further submit that 11 persons have been arrested. It is a case of preplanned murder pursuant to a conspiracy hatched between the accused. There was existing enmity and the murder has been committed very recently on 13.09.2020. He would further submit that the investigation is in preliminary stage.

5. Taking into consideration of the facts and circumstances of the case and the serious nature of offence and also that the investigation is only at the preliminary stage, this Court is not inclined to grant Anticipatory Bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
01/10/2020

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 JUDICIAL MAGISTRATE,
NO.II, COIMBATORE.

2 THE CHIEF JUDICIAL MAGISTRATE
COIMBATORE [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
C-1, KATTOOR POLICE STATION,
COIMBATORE DISTRICT.

CC to M/S. S.KINGSTON JEROLD Advocate on payment of necessary charges

CRL OP.14625/2020

Date :01/10/2020