



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 01/09/2020

PRESENT

The Hon`ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD) . No.8506 of 2020

VELUSAMY @ VELU

... PETITIONER/ACCUSED NO.1

VS

STATE REP.BY
THE INSPECTOR OF POLICE,
KULITHALAI POLICE STATION,
KARUR DISTRICT
(CRIME NO. 600 OF 2020).

... RESPONDENT/COMPLAINANT

For Petitioner : M/s A.Thiruvadi Kumar,
Advocate.

For Respondent : Mr.M.Chandrasekaran,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory bail in Crime NO. 600 of 2020 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioner/A1, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 302 and 201 of IPC seeks anticipatory bail.

2. The case of the prosecution is that the deceased/Vadivel is the son of the defacto complainant. Earlier there was a quarrel between the accused and the deceased, due to the same on the date of occurrence all the accused persons went to the house of the deceased, attacked him with wooden log and caused his death. Hence the complaint.



3. The learned counsel for the petitioner would submit that earlier the deceased was taken to hospital where the defacto complainant has stated that the deceased met with an accident and suffered injuries and after his death he has improved his version by implicating the petitioner herein. That apart even as per registering the First Information Report, no offence under Section 302 of IPC is made out against the petitioner.

4. The learned Additional Public Prosecutor would submit that due to previous enmity all the accused persons went to the house of the deceased, attacked him with wooden log and caused his death. Earlier they have also threatened the defacto complainant and asked to compromise the matter and asked to give statement before the doctor it is a case of accident. Onfact only the accused have attacked the deceased and caused his death. Two other persons are arrested and still in judicial custody.

5. It is seen that, there was a previous enmity between the parties, and due to the same all the accused persons went to the house of the deceased with the intention to cause his death, and all of them attacked him with wooden log and caused his death. Even though the defacto complainant has stated before the doctor that it is a case of accident in the first instance before the doctor it has not been explained in the First Information Report that only at the instigation of the petitioner and others the defacto complainant said to have given such statement. Perusal of records clearly reveals that the petitioner herein along with other accused with the intention to cause death of the deceased, went to the house of the deceased, attacked him with wooden log and caused his death. Therefore this Court is not inclined to grant anticipatory bail to the petitioner.

6. Hence this petition stands dismissed.

sd/-
01/09/2020

/ TRUE COPY /

/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



TO

1 THE INSPECTOR OF POLICE,
KULITHALAI POLICE STATION,
KARUR DISTRICT.

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

ORDER

IN

CRL OP(MD) No.8506 of 2020

Date :01/09/2020

AAV

JM/AKM/SAR 2/03.09.2020/3P/3C