



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

Date : 23/11/2020

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD). No.13276 of 2020

Raja ... Petitioner/Accused No.13

Vs

State Rep.by
The Inspector of Police,
Austinpatti Police Station,
Madurai District.
(Crime No.1747/2020)

... Respondent/Complainant

For Petitioner : M/s.M.S.Jeyakarthik,
Advocate.

For Respondent : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.Side)

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

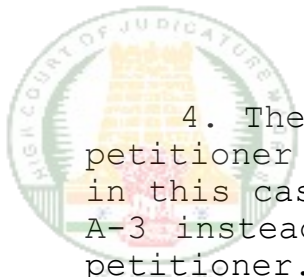
PRAYER :- For Anticipatory Bail in Crime No.1747 of 2020 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 302, 324 and 506(ii) of IPC, in Crime No.1747 of 2020, seeks anticipatory bail.

2. Heard both sides.

3.The case of the prosecution is that totally there are 13 accused persons have involved in the case of murder and the petitioner is arrayed as A13. On 15.09.2020 all the accused persons said to have brutally assaulted the deceased and two other persons. The deceased has sustained grievous injuries and admitted in the Government Hospital, Thirupparankundram on 15.09.2020, thereafter, he died. Further, the two other persons also got injured during the occurrence. Hence, a complaint has been registered.



4. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the petitioner is arrayed as A-3 instead of A-13. Hence he prayed for anticipatory bail to the petitioner.

5. The learned Government Advocate(Crl.Side) would submit that the investigation is pending. He would also submit that co-accused in this case was released on anticipatory bail by this Court on 01.10.2020. He would further submit that there is no change of circumstances after dismissal of the earlier bail application in Crl.OP(MD)No.11232 of 2020 dated 13.10.2020.

6.It is seen that this is the second application seeking anticipatory bail. The earlier bail application in Crl.OP(MD) No.11232 of 2020 was dismissed on merit by this Court on 13.10.2020. Further, the rank of the accused is not important factor since he is having specific overt act on the case of murder.

7.Taking into consideration of the fact that there is no change of circumstances after dismissal of the earlier bail application in Crl.OP(MD)No.11232 of 2020, this Court is not inclined to grant anticipatory bail to the petitioner.

8. Accordingly, this Criminal Original Petition stands dismissed.

sd/-
23/11/2020

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/ /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,
AUSTINPATTI POLICE STATION, MADURAI DISTRICT.

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

ORDER IN
CRL OP(MD) No.13276 of 2020
Date :23/11/2020