



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26/11/2020

WEB COPY

PRESENT

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

CRL OP(MD). No.13440 of 2020

Robert

... Petitioner/Accused No.2

Vs

The State rep. by
The Inspector of Police,
Thiruvattar Police Station,
Kanyakumari District.
Crime No. 484/2020.

... Respondent/Complainant

For Petitioner : M/s.G.Aravinthan,
Advocate.

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

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

PRAYER :-

For Anticipatory Bail in Crime No. 484/2020 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A2, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 307, 324, 341 and 506(ii) of IPC @ 120(B), 109, 34, 324, 341, 506(ii), 294(b) and 307 of IPC seeks anticipatory bail.

2.Heard both sides.

3.The case of the prosecution is that on the instruction given by the first accused all the accused persons have attacked the victim using iron rod, due to which he sustained injuries and admitted in the hospital.

4.The learned counsel for the petitioner would submit that even according to the case of prosecution the first accused had engaged other accused persons to commit the offence. He would also submit that as per the confession given by A3 there is no absolutely no



overt act as against the petitioner herein. Hence he sought for anticipatory bail.

5.The learned Government Advocate(Criminal Side) would submit that there are nine accused in this case and the petitioner herein is arrayed as A2. A1 engaged other accused persons to do away the life of the victim who was a counsellor of Thiruvattur Municipality and a member of one political party. He would also submit that the victim sustained grievous injuries in his head and admitted in the hospital and still taking treatment and he is unconscious. Hence he vehemently opposed to grant anticipatory bail to the petitioner.

6.There are nine accused in this case and the petitioner herein is arrayed as A2.A1 engaged other accused persons to do away the life of the victim who was a counsellor of Thiruvattur Municipality and a member of one political party and accordingly they attacked the injured with deadly weapons, due to which he sustained grievous injuries in his head, become unconscious and still taking treatment. It is also seen that specific overt act has been attributed as against this petitioner, hence this Court is not inclined to grant anticipatory bail to the petitioner.

7.In the result, the petition stands dismissed.

sd/-

26/11/2020

/ 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,
THIRUVATTAR POLICE STATION, KANYAKUMRI DISTRICT.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN
CRL OP(MD) No.13440 of 2020
Date :26/11/2020

AAV

SRS/AKM/SAR-II/01.12.2020/2P/3C

<https://hcservices.ecourts.gov.in/hcservices/>