



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17/12/2020

PRESENT

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

CRL OP(MD) . No.14767 of 2020

Poovai Rameshbabu

... Petitioner/Accused No.2

Vs

State Rep.by,
The Inspector of Police,
Thanthonimali Police Station,
Karur District
Crime No. 447/2020.

... Respondent/Complainant

For Petitioner : Mr.K.Balasubramani,
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.447/2020 on the file of the respondent police

ORDER :The Court made the following order :-

The petitioner, who is arrayed as A2, apprehending arrest at the hands of the respondent police for the offences punishable under sections 147, 195-A and 506(i) of IPC, in Crime No.447 of 2020 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is arrayed as A-2. The allegation is that when the defacto complainant was working as Assistant Professor in Karur College of Engineering, on 30.08.2016, one Sonali was murdered by one Udayakumar in college campus and the aforesaid crime was registered by the Karur Town Police Station in Crime No.810 of 2016, for an offence under Section 302 of IPC, pending for trial and the petitioner was arrayed as A-1 and the defacto complainant was one of the witnesses in the murder case. On 15.10.2018, WHILE the defacto complainant along with other witnesses went to the Court of Sessions, Karur for giving evidence,



the petitioner along with other accused said to have gone to the Court and threatened the defacto complainant and other witnesses not to give evidence against the petitioner and other accused. Hence, the complaint.

3. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (criminal side).

4. The learned counsel appearing for the petitioner would submit that he is an innocent person and he has not committed any offence as alleged by the prosecution. He would further submit that the defacto complainant and the other accused persons were not known to the petitioner, the above murder case also was not known to the petitioner. Hence, he seeks anticipatory bail.

5. The learned Government Advocate (criminal side) appearing for the respondent police, on instructions, submitted that the petitioner along with other rowdy elements said to have threatened the witnesses not to give evidence against the accused persons in the murder case which is pending for trial. After registered the present complaint, now only the prosecution has filed a petition to recall all the witnesses.

6. This is the second application and there is no change of circumstances to entertain this application. Considering the allegations and on perusal of material documents available on record, it could be seen that the petitioner and other accused persons said to have threatened the witnesses, not to give evidence against the accused in the murder case, if bail is granted to the petitioner there will not be any protection to the witnesses. In the said circumstances, this Court is not inclined to grant anticipatory bail to the petitioner and the Criminal Original Petition is liable to be dismissed.

7. Accordingly, the Criminal Original Petition stands dismissed.

sd/-

17/12/2020

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/ /2021

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



TO

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

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

ORDER

IN

CRL OP (MD) No.14767 of 2020

Date : 17/12/2020

vsg

PK/KV/SAR-IV/06.01.2021 : 2P/3C