



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/12/2020

WEB COPY

PRESENT

The Hon'ble Mr. Justice G.ILANGO VAN

CRL OP(MD). No.16083 of 2020

1. Oosi Pandi @ Oosi Kattan
2. Muthu Mano

... Petitioners/Accused
Rank not known

Vs

The State Rep. by
The Inspector of Police,
Murappanadu Police Station,
Thoothukudi District.
Crime No. 195/2019.

... Respondent/Complainant

For Petitioners : M/s.Alagumani.R,
Advocate.

For Respondent : Mr.R.Erottuchamy,
Government Advocate (Crl.Side)

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

PRAYER :-

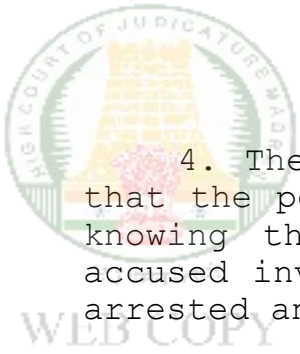
For Anticipatory Bail in Crime No.195 of 2019 on the file of the Respondent.

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioners and the learned Government Advocate(Crl. Side) appearing for the respondent.

2. The petitioners apprehending arrest at the hands of the respondent police for the offences punishable under sections 109, 120(b), 147, 148, 212, 302 and 341 of I.P.C., in Crime No.195 of 2019 on the file of the respondent police, seek anticipatory bail.

3. The case of the prosecution is that the deadbody of one Esakkipandi was found near Thoothukudi to Tirunelveli Four-way track with injuries. Hence, the case.



4. The learned counsel appearing for the petitioners submitted that the petitioners provided shelter to some other accused without knowing the occurrence and other things. There are totally 18 accused involved in this case and already four accused persons were arrested and released on bail.

5. The learned Government Advocate (Crl. Side) submitted that based on the confession statement given by A12, the petitioners were arrayed as A13 and A14. The first petitioner is not having any previous case but the second petitioner is having five previous cases and due to communal enmity, the accused murdered the deceased with deadly weapons.

6. It is a case of murder. The petitioners are not able to show compelling circumstances to grant anticipatory bail to them. So, the benefit under Section 438 Cr.P.C. cannot be extended to them. According to the learned counsel for the petitioners, only based on the confession statement given by A12, the petitioners were arrayed as accused. Even though, the co-accused were released on bail, this Court is not inclined to exercise the discretionary power in favour of the petitioners. The criminal original petition is dismissed.

sd/-
30/12/2020

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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 concerned.

TO

1. THE INSPECTOR OF POLICE,
MURAPPANADU POLICE STATION,
THOOTHUKUDI DISTRICT.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER IN
CRL OP(MD) No.16083 of 2020
Date :30/12/2020