



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Tuesday, the Twentieth day of July Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.12090 of 2021

SURESH KUMAR

[PETITIONER / ACCUSED]

Vs

THE STATE REPBY
THE INSPECTOR OF POLICE,
MARIMALAINAGAR POLICE STATION,
CHENGALPATTU DISTRICT.
CR.NO.4481/2020.

[RESPONDENT]

For Petitioner : M/S.G.MAGESHKUMAR Advocate

For Respondent : Mr.A.Gopinath Government Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 148, 506 (ii), 302 of IPC in Crime No.4481/2020, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and the deceased person are neighbours. Due to previous enmity qua a land pathway between the defacto complainant's brother viz., Babu and the accused persons, the petitioner along with other accused persons have joined together chased the deceased/defacto complainant's brother and stabbed the deceased by using a knife. Thereby, the deceased sustained fatal injuries and lost his life. Hence, the complaint.

3. The learned counsel for the petitioner submits that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submits that there is no specific overt act against the petitioner.



4. The learned Government Advocate (Crl.Side) submits that totally there are six accused in this case and there were previous cases against A1 to A4 and they were detained under Goondas Act and A5 and A6 are still in custody and overt act attributed to the petitioner is that he along with accused persons stabbed the defacto complainant by using a knife, thereby, the deceased lost his life. He further submits that if the petitioner is released on bail there is a possibility of tampering the witness. Hence he vehemently opposed for grant of bail to the petitioner.

5. Taking into consideration the facts of the case and the nature of offence committed by the petitioner and all the accused were in custody, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly this Criminal Original petition is dismissed.

-sd/-

20/07/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE INSPECTOR OF POLICE,
MARIMALAINAGAR POLICE STATION,
CHENGALPATTU DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.G.MAGESHKUMAR Advocate on payment of necessary charges

CRL OP.12090/2021

Date :20/07/2021

RVR 30/07/2021