



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Twenty Sixth day of October Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.18783 of 2021

MADAN DAS

[PETITIONER / ACCUSED]

Vs

STATE REP.BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
KANCHI TALUK POLICE STATION,
KANCHIPURAM.
CR.NO.1458/2021.

For Petitioner : M/S.S.MARSHALL Advocate

For Respondent : MR.A.GOPINATH, Govt. 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 under Section 302 of I.P.C seeks anticipatory bail.

2.The case of the prosecution is that there was previous enmity between the petitioner and the deceased due to which the petitioner, along with the other accused persons, had assaulted the deceased with knife and murdered him which resulted in the registration of FIR.

3.The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submitted that the co-accused was granted anticipatory bail by this Court in Crl.O.P.No.19707 of 2021. Hence he prays for grant of anticipatory bail.

5. The learned Government Advocate (Crl.Side) submitted that the investigation is under way and also submitted that there is one previous case against the petitioner. Hence, he vehemently opposed grant of anticipatory bail to the petitioner.



6. As there was no serious allegation levelled against the co-accused person and there was no previous case against him and further considering the period of incarceration suffered by him, this Court granted anticipatory bail to the co-accused person. However, the petitioner herein is involved in one other case and there are serious allegations against him and the petitioner cannot be given similar relief as has been given to the co-accused. In the aforesaid circumstances, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, the petition seeking anticipatory bail is dismissed.

-sd/-
26/10/2021

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,
KANCHI TALUK POLICE STATION,
KANCHIPURAM.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.18783/2021

Date :26/10/2021

TA-22/11/2021