



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 17/02/2021

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) . No.2500 of 2021

Anand @ Venkat Anand

... Petitioner/Accused No.3

Vs

The State rep.by,
The Inspector of Police,
Ammapettai Police Station,
Thanjavur District.
(Crime No.930 of 2020).

... Respondent/Complainant

For Petitioner : Mr.S.Venkatesan,
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.930 of 2020 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who is arrayed as A3, apprehending arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 294(b), and 302 of I.P.C., in Crime No.930 of 2020 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the deceased was working as labour in a chicken stall owned by A2, who is the father of A1. Due to dispute, there was wordy quarrel between the deceased and the first accused. Hence, the first accuse left his shop and started new chicken stall near the petitioner's chicken stall. Due to which, the petitioner went to the deceased's chicken stall and attacked the deceased with deadly weapons and caused death. Insofar as the petitioner is concerned, he was said to have attacked the deceased with Patta Kathi. Hence, the complaint.

3.The learned counsel appearing for the petitioner submitted that the petitioner is not present in the scene of occurrence and he has been falsely implicated in this case.



4.The learned Government Advocate (Crl. Side) appearing for the respondent Police submitted that five witnesses have witnessed the occurrence and other witnesses have clearly spoken against the petitioner. He further submitted that except this petitioner, all other accused persons have been secured and they have been detained under Act 14, 1982.

5.On perusal of the materials available on records, it is seen that the petitioner is present in the scene of occurrence, which has been clearly stated by five eye witnesses. It is also seen that except this petitioner, all other accused persons have been arrested and they are detained under Act 14, 1982.

6.This is the fourth application. Taking into consideration of the fact that there is no change of circumstances and the petitioner involved in a very heinous offence. Hence, this Court is not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, this Criminal Original Petition stands dismissed.

sd/-
17/02/2021

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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,
AMMAPET POLICE STATION, THANJAVUR DISTRICT.

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

ORDER
IN
CRL OP(MD) No.2500 of 2021
Date :17/02/2021

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<https://hccvse.cse.gov.in/Services/> 17.02.2021 : 2P/3C