



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

Date : 16/04/2021

PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD) . No.5049 of 2021

Karuthapandi

... Petitioner/Accused No.3

Vs

State rep.by,
The Inspector of Police,
Kovilpatti West Police Station,
Thoothukudi District.
Crime No 233/2021.

... Respondent/Complainant

For Petitioner : Mr.G.Karuppasamy Pandiyan,
Advocate.

For Respondent : Mr.K.Dinesh Babu,
Additional Public Prosecutor

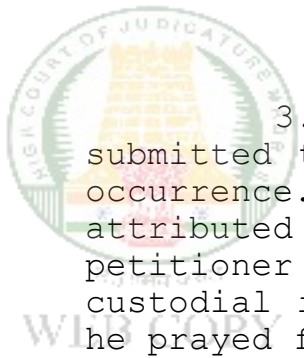
PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :- For Anticipatory bail in crime No. 233/2021 on the file of the respondent Police

ORDER : The Court made the following order :-

The petitioner, who is arrayed as Accused No.3, apprehending arrest at the hands of the respondent police for the alleged offences punishable under Section 302 of IPC, in Crime No.233 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant is the mother of the deceased. On 19.03.2021, when the wife of the deceased was working as computer operator in Easwari Printers, which was owned by the second accused, the deceased went to the Easwari Printers in a drunken mood and picked up quarrel with the second accused about the conduct of his wife. On the same day, at about 09.30 p.m the petitioner and other accused came to the house of the defacto complainant and took the deceased for speaking with him. Thereafter, the defacto complainant and wife of the deceased followed them. While the petitioner and other accused persons were speaking with the deceased near AKS Theatre Road opposite to RTG textiles, the first accused took out the knife and stabbed the deceased. Due to which, the deceased succumbed to injuries. Thereafter, the petitioner and other accused persons said to have escaped from the scene of occurrence. Hence, the present complaint.



3.The learned counsel appearing for the petitioner submitted that the petitioner is no way connected with the alleged occurrence. Even as per FIR, there is no specific overt act attributed against the petitioner. He further submitted that the petitioner has been falsely implicated in this case and the custodial interrogation of the petitioner is not necessary. Hence, he prayed for grant of anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor appearing for the respondent Police submitted that the petitioner was aiding or abetting the other accused in the commission of offence. He further submitted that the investigation is at preliminary stage. He further submitted that the vehicle used for the commission of offence, was handed over to the petitioner and it is not yet recovered.

5.Considering the facts and circumstances of the case and also considering the fact that the investigation is at preliminary stage and the fact that the vehicle used for the commission of offence, is not yet recovered and the vehicle was handed over by the first accused to this petitioner, this Court is not inclined to grant anticipatory bail to the petitioner.

6.Accordingly, this Criminal Original Petition stands dismissed.

sd/-
16/04/2021

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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,
KOVILPATTI WEST POLICE STATION, THOOTHUKUDI DISTRICT.

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

ORDER
IN
CRL OP(MD) No.5049 of 2021
Date :16/04/2021

vsg

<https://hcmr.cemurts.gov.in/Services/05.2021> : 2P/3C