



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

Date : 23/04/2021

PRESENT

WEB COPY

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD)No.5518 of 2021

P.Maheswari

... Petitioner/Accused No.A16

Vs

State Rep. by

The Inspector of Police,

Elumalai Police Station,

(In Cr.No.24 of 2020)

Elumalai, Madurai District.

... Respondent/Complainant

For Petitioner : M/s.Palaniyandi.NA.,
Advocate.

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

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

PRAYER :- To Anticipatory Bail in Cr.No.24/2020 on the file of the
respondent Police

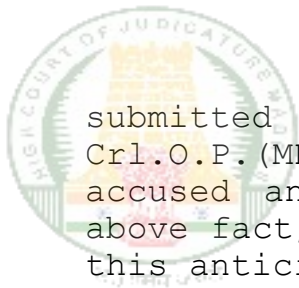
ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the
respondent police for the alleged offences punishable under Sections
147, 148, 342, 323 and 302 IPC r/w Section 109 IPC in Crime No.24 of
2020, seeks anticipatory bail.

2.The case of the prosecution is that All in this case gave a
sum of Rs.15,000/- to the defacto complainant's brother to support
one Paulraj in the local body election. However, the said Paulraj
was not succeeded in the election. Therefore, all the accused
persons asked the defacto complainant's brother to return the money
and they said to have attacked the brother of the defacto
complainant with deadly weapons and caused the death of the defacto
complainant's brother. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the
petitioner is an innocent person and he did not commit any offence
as alleged by the prosecution. He further submitted that the co-
accused in this case were already arrested and released on bail.

4.The learned Additional Public Prosecutor submitted that the
services to the court in this case has been completed. However, he



submitted that the petitioner herein already filed a petition in Crl.O.P.(MD)No.6314 of 2020 for anticipatory bail along with other accused and the same was ordered on 18.06.2020. Suppressing the above fact, this petition came to be filed and therefore, he opposed this anticipatory bail petition.

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5.It is seen from the submissions made that All in this case gave a sum of Rs.15,000/- to the defacto complainant's brother to support one Paulraj in the local body election. However, the said Paulraj has not succeeded in the election. Therefore, all the accused persons asked the defacto complainant's brother to return the money and they said to have attacked the brother of the defacto complainant with deadly weapons and caused the death of the defacto complainant's brother. It is also seen that the petitioner already filed a petition in Crl.O.P.(MD)No.6314 of 2020 and the same was allowed. Suppressing the said fact, this petition came to be filed and there is no proper explanation for the same. Therefore, this Court is not inclined to grant anticipatory bail to the petitioner and accordingly, this criminal original petition is dismissed.

sd/-
23/04/2021

/ TRUE COPY /

/ /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,
ELUMALAI POLICE STATION,
ELUMALAI, MADURAI DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.NA.PALANIYANDI, Advocate SR.No.3321

ORDER
IN
CRL OP(MD) No.5518 of 2021
Date :23/04/2021

GNS

<https://hcmr.cslm.in/Case/05.2021/2P/4C>