



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

Date : 11/06/2021

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD). No.6542 of 2021

P.Udhayakumar

... Petitioner/Accused A1

Vs

The State rep.by,
The Inspector of Police,
Thanthonimalai Police Station,
Karur District.
Crime No.447/2020.

... Respondent/Complainant

For Petitioner : Mr.B.Kumarasamy,
Advocate.

For Respondent : Mr.T.Senthilkumar,
Government Advocate (Crl.Side)

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

PRAYER :-

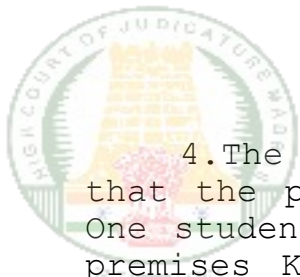
For Anticipatory Bail in Crime No. 447 of 2020 on the file of the respondent police.

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner and the learned Government Advocate(Crl. Side) appearing for the respondent.

2. The petitioner apprehending arrest at the hands of the respondent police for the offences punishable under sections 147, 195A and 506(i) of I.P.C., in Crime No.447 of 2020 on the file of the respondent police, seeks anticipatory bail.

3. The learned counsel for the petitioner would point out that the case of the prosecution is that the petitioner had threatened the witnesses in S.C.No.24 of 2017, on the file of the Additional Sessions Court, Karur. Even though the occurrence is said to have taken place on 15.10.2018, the case was registered only on 13.07.2020. He would also state that the defacto complainant in this case is not an eye witness. The petitioner's counsel reiterated all the averments set out in the petition and also submitted that the petitioner would extend his fullest cooperation for the speedy conclusion of the trial.



4.The learned Government Advocate (Crl. Side) would point out that the petitioner is the principal accused in a case of murder. One student by name Sonali was done to death on 30.08.2016 in the premises Karur College of Engineering. Crime No.810 of 2016 was registered and the petitioner herein is figuring as A1. His specific contention is that though some of witnesses have supported the case of prosecution, many have turned hostile. The prosecution would allege that only on account of intimidatory tactics adopted by the petitioner and his friends, many of the witnesses have turned hostile and that is why Crime No.447 of 2020 came to be registered.

5.He pointed out that A2/Poovai Rameshbabu filed Crl.O.P.(MD) No.14767 of 2020 and a learned Judge of this Court dismissed the said petition on 17.12.2020. Of course, the petitioner's counsel would seek to distinguish the said case from the case on hand. I am not persuaded by the submissions of the petitioner's counsel, when a learned Judge of this Court has chosen to dismiss the anticipatory bail petition filed by the second accused, I would not be justified in granting relief to the petitioner herein. The criminal original petition stands dismissed.

sd/-
11/06/2021

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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,
THANTHONIMALAI POLICE STATION, KARUR DISTRICT.

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

+1 CC to M/s.B.KUMARASAMY, Advocate (SR-3953[I] dated 14/06/2021)

ORDER IN
CRL OP(MD) No.6542 of 2021
Date :11/06/2021

IAS
TK/PN/SAR.3/18.06.2021/2P/4C

<https://hcservices.ecourts.gov.in/hcservices/>