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

Date : 08/06/2021

PRESENT

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

CRL OP(MD). No.7297 of 2021

Muthaiah ... Petitioner/Accused
(Rank Not Known)

Vs

The State Rep. by
The Inspector of Police,
Pavoorchatram Police Station,
Tenkasi.
(Crime No.192 of 2021) ... Respondent/Complainant

For Petitioner : Mr.D.Venkatesh,
Advocate.

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

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

PRAYER :- For Anticipatory Bail in Crime No.192/2021 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 section 302 of I.P.C., in Crime No.192 of 2021 on the file of the respondent police, seeks anticipatory bail.

3.The learned Government Counsel (Crl.side) informs the Court that the occurrence had taken place on 16.04.2021 and that there are totally seven accused in this case and A1 to A5 have been arrested and that the petitioner is figuring as A7.

4.Though the learned counsel for the petitioner would strongly assert that the only role attributed to the petitioner is giving the vehicle used by the principal accused for committing the offence, according to the petitioner's counsel, the principal accused are

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working under the petitioner and that the they had taken the two wheeler on some false pretext and used the same for committing the offence.

5.The learned Government Counsel (Crl.side) would strongly state that the petitioner is also one of the conspirators. Since this is a case arising under Section 302 of IPC and since the prosecution alleges conspiracy involving the petitioner also, I am not in a position to grant anticipatory bail. I make it clear that the dismissal of this petition will not mean that the petitioner's defence is not accepted by this Court. Since investigation is at a early stage, it is not possible for this Court to grant relief.

6.With these observations, this Criminal Original Petition is dismissed.

sd/-
08/06/2021

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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,
PAVOORCHATRAM POLICE STATION,
TENKASI.

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

ORDER
IN
CRL OP(MD) No.7297 of 2021
Date :08/06/2021

Rmi
MS/MNR/SAR-3/11.06.2021/2P.3C

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