



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

Date : 09/08/2021

WEB COPY

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD)No.10730 of 2021

Suganthan

... Petitioner/Accused No.8

Vs

State Rep by
The Inspector of Police,
Thottiyam Police Station,
Trichy District.
(in Cr.No.136/2021)

... Respondent/Complainant

For Petitioner : Mr.Subash Babu M,
Advocate.

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

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

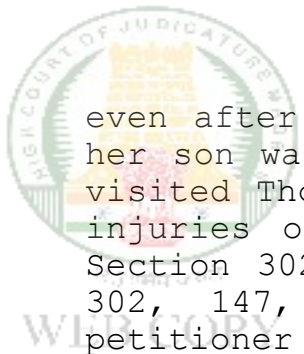
PRAYER :-

For Anticipatory bail in Crime No. 136 of 2021 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 302 IPC altered into Sections 302, 147, 148, 294(b), 323, 324, 341 and 506(ii) of IPC in Crime No.136 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant is the second wife of one Rajamanikkam. Rajamanikkam's first wife died 12 years back. He had two sons and one daughter through his first wife. Perumal @ Vairavaperumal, who is the elder son of the first wife, was living with his grand mother Kothammal at Thottiyam. The younger son Kumar was living with the defacto complainant and was studying 12th standard. The defacto complainant went to Kosavapatti along with Kumar for participating in a festival on 01.04.2021 and came home on 02.04.2021. On 03.04.2021, Kumar had to return home to Thottiyam to attend festival and did not return back,



even after 10.00 pm. Later she was informed by one Nandakumar that her son was found at Thottiyam east street with stab injuries. She visited Thottiyam hospital and found that her son died due to stab injuries on his chest. Originally, the case was registered under Section 302 IPC and subsequently it has been altered into Sections 302, 147, 148, 294(b), 323, 324, 341 and 506(ii) IPC. This petitioner is one of the accused and there is specific overt act against him.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case.

4.The learned Government Advocate(Crl.side) appearing for the respondent police submitted that the earlier anticipatory bail petition filed by the petitioner was dismissed as withdrawn. He further submitted that the petitioner actively participated in the crime and there is specific overt act as against him.

5.Considering the fact that the earlier anticipatory bail petition was dismissed as withdrawn and that there is specific overt act as against the petitioner herein, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this criminal original petition is dismissed.

sd/-

09/08/2021

/ TRUE COPY /

/ /2021

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

GNS

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
THOTTIYAM POLICE STATION,
TRICHY DISTRICT.

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

ORDER

IN

CRL OP(MD) No.10730 of 2021

Date :09/08/2021

PKP/JC/SAR-3/18/08/2021/2P/3C

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