



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Twentieth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION Nos.12076 AND 12080 of 2022

V. SOUNDARYA

[PETITIONER / ACCUSED
IN CRL.OP.NO.12076/2022]

KOUSALYA @ KRISHNAVENI

[PETITIONER / ACCUSED
IN CRL.OP.NO.12080/2022]

Vs

THE STATE REP. BY ITS
THE INSPECTOR OF POLICE,
SANKARAPURAM POLICE STATION,
KALLAKURICHI DISTRICT.
(CR.NO. 153 OF 2022)

[RESPONDENT/COMPLAINANT
IN BOTH PETITIONS]

For Petitioner : M/S. B.UMAPATHY Advocate
[IN BOTH PETITIONS]

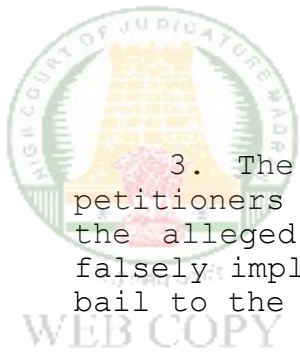
For Respondent : MR.A.DAMODARAN, Additional Public Prosecutor
[IN BOTH PETITIONS]

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

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 294(b), 323, 324, 352, 506(ii) and 302 of IPC in Crime No.153 of 2022, on the file of respondent police, seek anticipatory bail.

2. The case of the prosecution is that all the accused persons had previous enmity with the deceased with regard to lane between both houses of petitioners and defacto complainant. On the date of occurrence, there was a quarrel between both family members, in which, the 1st accused attacked the deceased by iron rod on his head and all the accused persons attacked the deceased by hands on his legs. Hence, the complaint.



3. The learned counsel for the petitioner submitted that the petitioners are innocent persons and they are no way connected with the alleged offence. He would further submit that they have been falsely implicated in this case. Hence he prays to grant anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor appearing for respondent would submit that if the petitioners are granted anticipatory bail, there is a possibility to tamper the witnesses and hamper the investigation. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the above facts and circumstances, and in so far as the petitioners are concerned, they are daughters of 1st accused and they attacked the deceased wife, when she prevented the accused persons from attacking the deceased. Therefore, in the case of Sec. 302 I.P.C., that too when the petitioners are having specific overtact, the petitioners are not entitled to grant anticipatory bail and their custodial interrogation is very much required. Therefore, this Court is not inclined to grant anticipatory bail to the petitioners. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

20/05/2022

This order, on being produced, be punctually observed and carried into execution by all concerned
TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE INSPECTOR OF POLICE,
SANKARAPURAM POLICE STATION,
KALLAKURICHI DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S. B.UMAPATHY Advocate on payment of necessary charges

CRL.OP.NOs.12076&12080/2022

Date :20/05/2022

CSK 26/05/2022