



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Eighth day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.13042 of 2022

1 SELVAM
2 HARI SHANTH
3 ANANTH KUMAR

[PETITIONERS / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
UDUMALPET POLICE STATION,
TIRUPPUR DISTRICT.
(CRIME NO.277 OF 2022)

[RESPONDENT]

For Petitioner : M/S.C.S.SARAVANAN Advocate

For Respondent : M/S.A.DAMODARAN, Additional Public Prosecutor

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), 324 and 302 of IPC in Crime No.277 of 2022, seek anticipatory bail.

2. The case of the prosecution is that one Kavitha i.e., A-2 borrowed a sum of Rs.30,000/- from deceased friend's wife namely Valarmathi. Thereafter, deceased friend namely Ashwin Prasad and deceased went to the house of A-2 and demanded the money borrowed by A-2 owing to which, the petitioners and other accused persons attacked the deceased with iron rod and ran away and the deceased succumbed to the injuries. Hence, the complaint.



3. The learned counsel for the petitioners would submit that there are totally seven named accused as per the case of the complainant and the petitioners names were not found in the FIR. He further submitted that even according to the prosecution case there is absolutely no overt act against these petitioners. Therefore, he prays to grant anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor would submit that the deceased friend's wife gave a sum of Rs.30,000/- to A-2 as hand loan, but A-2 refused to repay the same and the panchayat was conducted in the house of A-1 and all the accused namely A-1 to A-7 and the petitioners namely A-8 to A-10 were present and attacked the deceased brutally with an iron rod due to which the deceased sustained grievous injuries and died. Therefore, there is a specific overt act against these petitioners also and hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the above facts and circumstances, the fact that the petitioners attacked the deceased with an iron rod due to which the deceased died and there is specific overt act against these petitioners, this Court is not inclined to grant anticipatory bail to the petitioners.

6. Accordingly , this Criminal Original Petitions is dismissed.

-sd/-

08/06/2022

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,
UDUMALPET POLICE STATION,
TIRUPPUR DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.C.S.SARAVANAN Advocate on payment of necessary charges

CRL OP.13042/2022

Date :08/06/2022

RW-27/06/2022