



Crl.OP.No.16966 of 2022

Crl.O.P.No.16966 of 2022

G.K.ILANTHIRAIYAN, J.

The petitioner who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 302 of IPC, in Crime No.149 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that due to previous enmity and land dispute, the defacto complainant's husband was assaulted by the petitioner herein with iron rod, due to which the defacto complainant's husband sustained grievous injuries and died on the spot. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and no way connected with the alleged offence. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor submits that the petitioner has specific overtact in this case. It is a case of 302. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.



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5. It is seen that the petitioner is a sole accused. The deceased is the own brother of the petitioner herein. The deceased attacked the petitioner and his wife by knife. Only to protect themselves the petitioner attacked the deceased and as such the deceased sustained grievous injuries and died. It is a case of 302. Even according to the case of the prosecution, the defacto complainant who is the wife of the deceased lodged complaint alleging that her husband namely the deceased, attacked the petitioner's wife and the petitioner. Therefore, the petitioner attacked the deceased with iron rod. Due to which, the deceased sustained grievous injuries in head and died.

6. Taking into consideration the facts and circumstances of the case, the custodial interrogation of the petitioner is very much necessary in this case. Therefore, this Court is not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, this Criminal Original Petition is dismissed.

21.07.2022

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