



Crl.OP.No.18064 of 2022

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G.K.ILANTHIRAIYAN, J.

The petitioner, who apprehends arrest for the alleged offence under Sections 147, 148, 302 IPC in Crime No.150 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. There are totally eleven accused in this case, in which the petitioner is arrayed as A7. The case of the prosecution is that due to previous enmity, the petitioner along with other accused persons waylaid the defacto complainant and his brother and also assaulted his brother with Aruval on his head and hand, due to which, the defacto complainant's brother died on the spot. Hence, the complaint.

3.The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution. He further submitted that the petitioner was not in the scene of occurrence and there is no specific overt act against him, he has been



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falsely implicated in this case. The further submission of the counsel is that co-accused had enlarged on bail by the learned Principal Sessions Judge in Crl.M.P.No.2647 of 2022. Hence, he prays to grant anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor appearing for the respondent submitted that the specific overt act as against the petitioner is that the petitioner was also present at the scene of occurrence and flew away after the scene of crime. He further submitted that accused/A1 to A6 were arrested and remanded to judicial custody. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5.Considering the fact that all the accused persons waylaid the deceased and attacked him with a common intention, there is specific allegation against the petitioner, as such the custodial interrogation of the petitioner is very much required and since it is a case under Section 302, this Court is not inclined to grant anticipatory bail to the petitioner.



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6. Accordingly, this Criminal Original Petition is dismissed.

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