



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06/09/2022

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.ILANGOVAN

CRL OP(MD). No.16036 of 2022

1. Muthurasu,

2. Lakshmi,

... Petitioners/Accused Nos. 2 & 3

Vs

State Rep.by
The Inspector of Police,
Thiruchuli Police Station,
Virudhunagar District.
Crime.No.48 of 2022.

... Respondent/Complainant

For Petitioners : Mr.H.Mohammed Imran, Advocate for
M/SAjmal Associates,
For Respondent : Mr.SS.Madhavan,
Government Advocate (Crl.Side)

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

PRAYER :-

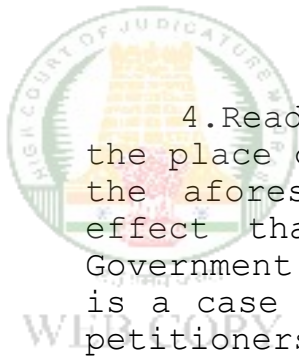
For Anticipatory Bail in Crime No. 48 of 2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners are facing charges under Sections 143, 294(b), 302 and 114 IPC in Crime No.48 of 2022 on the file of the respondent police.

2.The earlier application in Crl.O.P.(MD) No.13600 of 2022 came to be dismissed on the ground that there is specific allegation with regard to the instigation that has been made by the petitioners to commit murder of the deceased.

3.The learned counsel for the petitioners would submit that the co-accused have been enlarged on regular bail and absolutely there is no allegation against the petitioners even in the FIR itself. They are residing away from the occurrence place and they are noway connected in the aforesaid issue.



4. Reading of the FIR shows that the petitioners were present in the place of occurrence and also instigated the 1st accused to commit the aforesaid murder. When there is specific allegation to the effect that there is instigation, as mentioned by the learned Government Advocate (Crl.side), it is a matter for investigation. It is a case of murder. Unless a strong case has been made out by the petitioners, they are not entitled for the discretionary relief of anticipatory bail.

5. This Criminal Original Petition is dismissed, accordingly.
sd/-

06/09/2022

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/09/2022

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

MM

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
THIRUCHULI POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

+1 CC to M/s.AJMAL ASSOCIATES, Advocate (SR-9719[I] dated
07/09/2022

ORDER

IN

CRL OP(MD) No.16036 of 2022

Date : 06/09/2022

PKP/SVR/SAR-1/15.09.2022/2P/4C