



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 30/09/2022

PRESENT

WEB COPY

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD) . No.17546 of 2022

Iyyamperumal

... Petitioner/Accused No.7

Vs

The State Rep. By,
The Inspector of Police,
Kalakkad Police Station,
Tirunelveli District.
Cr.No.122/2022.

... Respondent/Complainant

For Petitioner : M/s.Ebenezer.T.A.,
Advocate.

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

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

PRAYER :-

To enlarge the petitioner on bail in P.R.C.No.28 of 2022 on the file of the learned Magistrate, Nanguneri in Crime No.122 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/A7, who is facing a case for the offence under Sections 341, 294(b), 302 and 506(ii) IPC @ 341, 294(b), 302, 506 (ii), 120(B), 147, 148 r/w 109 IPC in P.R.C.No.28 of 2022 on the file of the learned Judicial Magistrate, Nanguneri in Crime No.122 of 2022 seeks anticipatory bail.

2.The case of the prosecution is that due to election dispute on 22.05.2022, the petitioner along with other accused persons conspired together and committed the murder of the deceased, hence the case came to be registered.

3.The learned counsel for the petitioner would submit that based on the confession statement of the co-accused, the petitioner has been arrayed as accused in this case. He would further submit that the investigation has been completed and the charge sheet has already been filed and the case was taken on file in P.R.C.No.28 of



2022 before the learned Magistrate, Nanguneri. He would submit that the co-accused was already granted bail by this Court in Crl.O.P.(MD)No.16316 of 2022, dated 14.09.2022. Hence, he prays for anticipatory bail.

4.The learned Additional Public Prosecutor would submit that the petitioner along with the other accused murdered the deceased. A1 to A3 were detained under Act 14 and A4, A5 and this petitioner are still absconding and A6 has already released on bail. Hence, he strongly opposed to grant anticipatory bail to the petitioner.

5.Considering the gravity and nature of the offence and also considering the facts that the charge has already been filed and the same was on file in P.R.C.No.28 of 2022 before the learned Judicial Magistrate, Nanguneri and there is a specific overt act against this petitioner, this Court is not inclined to grant anticipatory bail to the petitioner.

6.Accordingly, this Criminal Original Petition is dismissed.

sd/-

30/09/2022

/ TRUE COPY /

/10/2022

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

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
KALAKKAD POLICE STATION,
TIRUNELVELI DISTRICT.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.17546 of 2022

Date :30/09/2022

sj i

USK/VR/SAR-II/11.10.2022/2P/3C

<https://www.mhc.tn.gov.in/judis>