



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

Date : 06/10/2022

PRESENT

The Hon`ble Mrs.Justice T.V.THAMILSELVI
CRL OP(MD). No.17659 of 2022

WEB COPY

Karuppiah

... Petitioner/Accused No.5

Vs

The State Rep.by
The Inspector of Police,
Bodinayakkanur Rural Police Station,
Bodinayakkanur,
Theni District.
(In Crime No. 274 of 2022)

... Respondent/Complainant

For Petitioner : M/s.Karunanidhi.R,
Advocate.

For Respondent : B.Nambi Selvan,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.274 of 2022 on the file of
the respondent Police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the
respondent police for the alleged offences punishable under Sections
302 and 109 of IPC, in Crime No.274 of 2022, seeks anticipatory
bail.

2. The case of the prosecution is that due to family dispute,
the first accused and his wife Karpagam were living separately. The
land property patta stands in the name of the first accused and his
wife Karpagam. Hence, the first accused has insisted his wife to
sell his property, but she refused to sell the same. In these
circumstances, on 19.09.2022, the first accused went to his wife's
house and killed her on the instigation of his brothers. Hence, the
complaint.

3. The learned counsel for the petitioner submitted that the
petitioner is the land broker and he is also a third party in this
case. He would further submit that the petitioner is not beneficiary
to the said land transaction. He is an innocent person and he has
not been directly implicated in this case.



4. The learned Government Advocate (Crl.side) appearing for the respondent police strongly objected for grant of anticipatory bail to the petitioner by stating that the accused Nos.1 and 2 are still in judicial custody and the accused Nos.3 and 4 are absconding. He would further submit that the investigation is at preliminary stage and the custodial interrogation of the petitioner is necessary.

5. Considering the facts and circumstances of the case and Considering the nature of the offence and also the facts that two more accused are yet to be secured and the investigation is at preliminary stage, this Court is not inclined to grant anticipatory bail to the petitioners.

6. Accordingly, the Criminal Original Petition is dismissed.

sd/-

06/10/2022

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/10/2022

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

btr/cp

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,
Bodinayakanur Rural Police Station,
Bodinayakanur, Theni District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.R.KARUNANIDHI, Advocate (SR-10944[I] dated 06/10/2022)

ORDER

IN

CRL OP(MD) No.17659 of 2022

Date :06/10/2022