



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 02/11/2022

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD). No.19382 of 2022

WEB COPY

Vinitha

... Petitioner/Accused No.7

Vs

The State Rep. By,
The Inspector of Police,
Palani Town Police Station,
Dindigul District.
Crime No. 381 of 2022.

... Respondent/Complainant

For Petitioner : M/s.Ramasamy.T,
Advocate.
For Respondent : Mr.Vaikkam Karunanithi
Government Adovocate

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

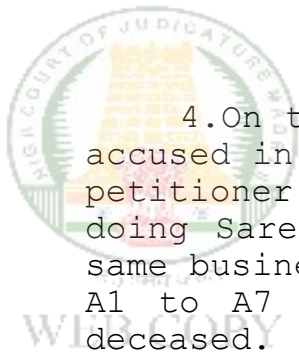
PRAYER :- For Anticipatory Bail in Crime No. 381 of 2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 294 (b) and 302 IPC @ Sections 324, 302, 120(b), 109, 147, 148, 452 and 34 IPC, in Crime No. 381 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that on 20.08.2022, at about 11.50 pm., 4 unidentified persons came to the defacto complainant's house and attacked one Jeyantha Samanathan with knife and he died on the spot. A case in Crime No.381 of 2022, was registered against the petitioner.

3. On the side of the petitioner, it is stated that the petitioner is a housewife and is running an Aari work company under the name and style "ST Bladers" as part time business. The deceased was residing at the defacto complainant's house and that he too was doing the Aari work business and that due to business rivalry, the petitioner was implicated in this case. There is no overt act against the petitioner and she was not present in the place of occurrence. The petitioner is the wife of A1. The husband of the petitioner has already deserted her. She is no way connected with the case. She was not named as an accused in the F.I.R. Only on the confession of co-accused, the petitioner was impleaded in the case. The petitioner is having a four years old child to be taken care of and prayed the petitioner to be released on anticipatory bail.



4. On the side of the prosecution, it is stated that the accused in this case and the petitioner herein is arrayed as A7. The petitioner is a house wife and the petitioner and her husband are doing Saree business and the defacto complainant is also doing the same business. A1 to A7 were incurring loss in the business. Hence, A1 to A7 conspired together and engaged cooligans to murder the deceased. A1 to A6 were already arrested and they are in custody from 22.08.2022. The petitioner - A7 is the main accused in the case. A1 to A6 are still in custody. Only on the instigation of this petitioner, the entire occurrence has taken place and prayed the petition to be dismissed.

5. Considering the grievous nature of the offence and the facts and circumstances of the case and considering the overt act against the petitioner and considering that the co-accused are still in custody, earlier petition was dismissed on 14.09.2022 and there is no change of circumstances, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Hence, this Petition is dismissed.

sd/-

02/11/2022

/ TRUE COPY /

/11/2022

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
PALANI TOWN POLICE STATION,
DINDIGUL DISTRICT.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.19382 of 2022

Date : 02/11/2022

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USK/SBN/SAR-II/07.11.2022/2P/3C

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