



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07/11/2022

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PRESENT

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

CRL OP(MD). No.19585 of 2022

Iyyamperumal,

... Petitioner/Accused No.7

Vs

State Rep.by
The Inspector of Police,
Kalkkadu Police Station,
Tirunelveli District.
(Crime No.122 of 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 :-

For Anticipatory Bail in Crime No.122 of 2022 on the file of the Respondent Police

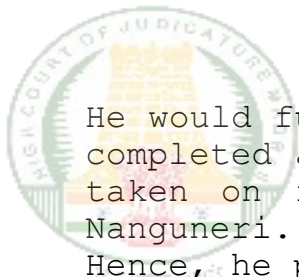
ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 341, 294(b), 302 and 506(ii) of IPC @ Section 341, 294(b), 302, 506(ii), 120(B), 147, 148 r/w 109 of IPC, 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. Hence, the case came to be registered.

3.The learned counsel for the petitioner would submit that this is the fourth application. Based on the confession statement of the

<https://www.hc.madras.gov.in/crds>, the petitioner has been arrayed as accused in this case.



He would further submit that the investigation in this case is completed and the charge sheet has also been filed and the case was taken on file in P.R.C.No.29 of 2022 by the learned Magistrate, Nanguneri. Further, the co-accused was granted bail by this Court. Hence, he prays for anticipatory bail.

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4. The learned Government Advocate (Crl.side) appearing for the respondent police opposed for grant of anticipatory bail to the petitioner stating that the petitioner along with other accused murdered the deceased. He would further submit that in this case, totally seven accused and the accused Nos.1 to 5 were detained under Act 14 and there is specific overt act against the petitioner and the offence committed by the petitioner is very serious in nature. Hence, he prays to dismiss the petition.

5. Considering the gravity and nature of the offence and also considering the objection raised by the prosecution and a specific overt act against the petitioner, custodial interrogation of the petitioner is very much necessary. Therefore, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.
sd/-

07/11/2022

/ TRUE COPY /

/11/2022

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

TO

- 1 THE INSPECTOR OF POLICE
KALKKADU POLICE STATION,
TIRUNELVELI DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.19585 of 2022
Date :07/11/2022

cp
PKP/BUC/SAR-3/17.11.2022/2P/3C