



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/01/2023

WEB COPY

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD). No.22521 of 2022

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 : Mr.Ramasamy.T,
Advocate.

For Respondent : Mr.Vaikkam Karunanithi
Government Adovocate (criminal side)

PRAYER :-

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

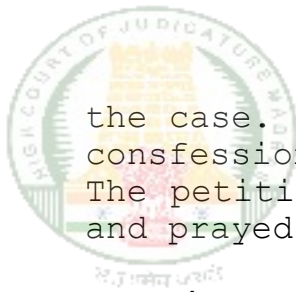
ORDER : The Court made the following order :-

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 Samananthan 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 she 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 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

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the case. She was not named as an accused in the F.I.R. 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 there are 7 accused in this case and that the petitioner herein is arrayed as A7. The petitioner and her husband are doing Aari business and the defacto complainant is also doing the same business. A1 and A7 were incurring loss in the business. Hence, A1 and 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, under the Goondas Act. 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 the fact that the co-accused are still in custody, considering the fact that earlier petition was dismissed on 02.11.2022 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/-
12/01/2023

/ TRUE COPY /

/01/2023

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

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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.22521 of 2022
Date :12/01/2023