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Crl.O.P.No.1617 of 2024

Crl.O.P.No.1617 of 2024

And

Crl.M.P.No. 2480 of 2024

C.V.KARTHIKEYAN, J.

The intervening Petition in Crl.M.P.No. 2480 of 2024 stands allowed.

2. The petitioner apprehends arrest at the hands of the respondent police for the offence punishable under Sections 147, 148, 302 of IPC in Crime No.375 of 2023, seeks anticipatory bail.

3. It is very surprising that the respondent / Inspector of Police, M7 Manali Newtown Police station, has not taken the petitioner still into custody though the act of murder had taken place on 02.10.2023. The petitioner is not a stranger but the President of the Vichoor Village Panchayat.



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4. It is seriously hoped that the respondent police and the petitioner are not colluding with each other to ensure that the petitioner does not suffer incarceration.

5. It is the case of the prosecution that the wife of the deceased, who was the Vice President of the panchayat. There were disputes between the Vice President and the President. This naturally spilled over to the husband of the victim. It is stated that on 01.10.2023 there was a village temple festival during when the quarrel escalated and thereafter it is the specific case of the prosecution that this petitioner assured the other accused / A-1 to A-8 that he would assist them in getting bail for them if at all they are arrested for the offence of murder of the deceased and also rendered financial assistance.

6. It is stated that thereafter the deceased was murdered on 02.10.2023. A-1 to A-8 had been arrested. A-1 to A-6 have been detained under Tamilnadu Act 14 of 1982. A-7 had been granted bail under Section 167(2) Cr.P.C. A-8 is still in custody. The petitioner alone has been roaming around freely in the same area after ensuring the death of the husband of the defacto complainant.



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7. The learned counsel for the petitioner in the course of his arguments stated that even till 24.01.2024, the petitioner was in the village panchayat. It is surprising as to why the respondent had not taken the petitioner into custody.

8. This is a case where murder had been committed openly and the petitioner has still not been taken into custody by the respondent. It is clear that with that confidence, the murder had been committed.

9. I am not inclined to grant anticipatory bail to the petitioner. This Criminal Original Petition stands dismissed.

10. Mr.D.Raji, the Inspector of Police, M7 Manali Newtown Police Station, Chennai, who is present in Court today, should again appear before this Court on 26.02.2024 at 02.15 p.m and report that he had taken the petitioner into custody, failing which the Court would not hesitate in holding that he is not fit to wear the badge and uniform of the police force.

13.02.2024

vsg



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