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Crl.O.P.No.28841 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.12.2024

CORAM

THE HON'BLE MR. JUSTICE **P.DHANABAL**

Crl.O.P.No.28841 of 2024

1.Reena

2.Pusinakumar

... Petitioners

Vs.

State Represented by,
The Sub-Inspector of Police,
Shoolagiri Police Station,
Krishnagiri District.
Crime No.454 of 2024.

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of BNSS,
pleaded to enlarge the petitioners on bail in the event of their arrest in Crime
No.454 of 2024 on the file of the respondent police.

For Petitioners : Mr.Prabhakaran Karuppannan

For Respondent : Mr.S.Balaji
Government Advocate (Crl.Side)

For Intervener : Mr.A.J.Magendiraverman



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ORDER

The petitioners / Accused 2 & 3, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 103 of BNS in Cr. No.454 of 2024, seek anticipatory bail.

2. The case of the prosecution is that on 21.09.2024, due to a property dispute, the petitioners/A2 and A3, along with other accused/A1, attacked the defacto complainant's husband with knives. Due to this, he died on the spot. Hence the complaint.

3. Learned counsel for the petitioners submitted that this is the second anticipatory bail petition filed by the petitioners. He further submitted that the petitioners are innocent persons, and they have been falsely implicated by the respondent police and they are in no way connected with the offence as alleged by the prosecution. He further submitted that the petitioners and the defacto complainant are relatives. He further submitted that the co-accused/A1 was released on bail. He further submitted that the petitioners are law-abiding citizens; and that they are ready and willing to



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furnish substantial sureties for their due release and to abide by any conditions that may be imposed by this Court and therefore, he prayed to grant anticipatory bail to the petitioners.

4. Learned Government Advocate (Criminal Side) appearing for the respondent submitted that there are totally 3 accused in this case; that the petitioners are arrayed as A2 and A3; that the deceased is the brother of the first accused; that the petitioners/A2 and A3 are the wife and son of the first accused; and that due to a property dispute, the petitioners along with other accused attacked the defacto complainant's husband with knives, due to which he died. He further submitted that the investigation is still pending. However, he strongly objected to grant anticipatory bail to the petitioners.

5. Learned counsel for the intervenor has reiterated the arguments of the learned Government Advocate (Crl.Side) and opposed to grant bail to the petitioners.

6. Heard both sides and perused the materials available on record.



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7. Considering the representation made by both side counsel, investigation is not yet completed, and the offence is also grave in nature, and already this court dismissed the earlier anticipatory bail application and there is no change of circumstances, therefore at this stage, it is not appropriate to consider the bail application of the petitioners. Hence, this Criminal Original Petition stands dismissed.

16.12.2024

drl

To

1. The Sub-Inspector of Police,
Shoolagiri Police Station,
Krishnagiri District.
2. The Public Prosecutor,
High Court, Madras.



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P.DHANABAL, J.

drl

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