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CRL O.P. No. 2954 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-02-2025

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL O.P. No. 2954 of 2025

B.Rajesh
S/o. N.Bala @ Balasettu,
No.11/125, Nagal Pudhu Manai,
Keelalathur Post, K.V.Kuppam Taluk,
Vellore - 635 803.

Petitioner(s)

Vs

The State Rep by,
The Inspector of Police,
K.V.Kuppam Police Station,
(Crime No.285 of 2024).

Respondent(s)

For Petitioner(s):

Santhosh
S.N.Kirubanandam
T.Dharani
B.Balamurugan

For Respondent(s):

Mr.S.Santhosh,
Govt. Advocate (criminal Side)

ORDER

Apprehending arrest in connection with Crime No.285 of 2024 registered for the offences punishable under Sections 194 (1) of BNSS, 2023 r/w 296 (b) & 103 (1) of BNS, 2023, this petition has been filed seeking anticipatory bail.



2.The case of the prosecution is that due to an election motive, the accused committed the murder of the husband of the defacto complainant. Hence the case.

3.Mr.S.N.Kirubanandam, the learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would submit that the first and second accused are the father and brother of the petitioner. The third and fourth accused are said to be the henchmen, who are said to have executed the murder. He would submit that A1 & A2 and the other accused have been detained under the Act 14 and the petitioner, who has no role in this case, has been falsely implicated in this case. He would further submit that the fact remains that the petitioner is a law college student and that on the date of occurrence on 16.12.2024, the petitioner had attended the law exam at Government Law College, Vellore and not present at the scene of occurrence and thereby, he would seek for anticipatory bail for the petitioner.

4.Per contra, the learned Government Advocate (Crl.Side) would submit that it is a case where the accused have joined together, after conspiracy, they



have committed the murder. He would submit that the petitioner is the son of A1 and there was a previous enmity between A1 and the victim, due to which, the accused have conspired and thereby, the petitioner/accused arrayed as A5 has contacted A3 and A4, who are henchmen, against whom there are several previous cases, and they have preplanned the murder and committed the murder of the victim in a gruesome manner. He would submit that investigation reveals that the petitioner had constant telephonic conversation with A3 & A4 and he is the person, who has arranged the henchmen to commit the drastic murder. He would further submit that custodial investigation of the petitioner is very much required for further investigation and object for grant of anticipatory bail.

5.Mr.T.Ashok Kumar, the learned counsel for the intervenor/defacto complainant would submit that initially, the case looked like a case of accident. The defacto complainant's husband was lying dead on the road with multiple injuries. The defacto complainant had given a complaint, later, during the investigation, it came to light that the defacto complainant's husband was brutally murdered by the accused. He would submit that the petitioner and his family members are influential persons in the village and that they had in a gruesome



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manner committed the murder of the victim, after conspiracy by engaging A3 & A4, who are accused in several previous cases and object for grant of anticipatory bail.

6. Having heard the learned counsel for the petitioner, learned counsel for the intervenor and the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record, this Court is of the view that custodial interrogation of the petitioner is very much required for the purpose of investigation. Therefore, this Court is not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, this petition stands dismissed.

12.02.2025

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A.D.JAGADISH CHANDIRA,J.

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