



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/05/2023

WEB COPY

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD) . No.8532 of 2023

Muthukumar,

... Petitioner/Accused No.6

Vs

State Rep.by

The Inspector of Police,

Anna Nagar Police Station, Madurai City,

Madurai District.

Cr.No.153/2023.

... Respondent/Complainant

For Petitioner : Mr. Gopala Krishnan.T, Advocate.

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For Bail in Crime No. 153/2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused, who was arrested and remanded to judicial custody on 10.03.2023, in Crime No.153 of 2023, on the file of the respondent police, seek bail.

2. The case of the prosecution is that on 09.03.2023, at about 4.00 pm., A1 and A2 trespassed into the house with sword and attacked the deceased and they followed the deceased who entered into the nearby laundry shop and assaulted him, which ended in his death. A3 and A4 were standing out side the house on guard and they prevented the deceased from escaping from the place of occurence. A case in Crime No.153 of 2023, under Sections 147, 148, 302, 342, 427 and 452 of I.P.C, was registered against the petitioner and others.



3. On the side of the petitioner, it is stated the petitioner is A6. On the basis of the confession of A1, he was falsely implicated in this case. The petitioner has not committed any offence. The petitioner is running a hotel, even at the time of alleged occurrence, the petitioner was working in his hotel along with his brothers. This was captured in the C.C.T.V. footage, which was fixed in the Indian Super Market Karuppayurani. There is no specific overt act against the petitioner. The petitioner is in custody for the past 57 days and prayed the petitioner to be released on bail.

4. On the side of the prosecution, it is stated that totally six accused involved in this case. The petitioner is arrayed as A6. A1 and the deceased have previous enmity. A6 was present in the scene of occurrence, he watched the movement of the deceased and informed the same to the accused and that three previous cases are pending against the petitioner. All the other accused are still in custody and the investigation is going on and prayed the petition to be dismissed.

5. The offence alleged against the petitioner is grievous in nature. Considering the grievous nature of the offence and considering the fact that the investigation is still pending, this Petition is dismissed.

sd/-

04/05/2023

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/05/2023

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

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TO

- 1 THE OFFICER INCHARGE
SUB JAIL, VIRUDHUNAGAR.
- 2 THE INSPECTOR OF POLICE
ANNA NAGAR POLICE STATION, MADURAI CITY,
MADURAI DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.8532 of 2023

Date :04/05/2023