

**Crl.O.P.Nos.3424, 3425, 3426, 3436,
4279 & 4280 of 2016 & 28197 of 2015**

K.KALYANASUNDARAM, J.

The petitioners, who are arrayed as A-3, A-5, A-1, were arrested and remanded to judicial custody on 13.03.2015 and 14.03.2015 for the alleged offences punishable under Sections 147, 148, 149, 449, 380, 302 of IPC and subsequently altered into Sections 120-B, 450, 396 r/w 109 r/w 396 of IPC, 395 r/w 397 and 398 of IPC and 393 of IPC in Crime Nos.158 of 2015, 365 of 2014, 368 of 2014 respectively, on the file of the respondent police and hence, seek bail.

2.The case of the prosecution in Crime No.368 of 2014 is that on 10.09.2014, all the accused had attempted to rob the jewellery van, however, the driver escaped from the scene of occurrence. The case of the prosecution in Crime No.365 of 2014 is that all the accused had committed murder of one beggar since he knew about the robbery. The case of the prosecution in Crime No.158 of 2015 is that the deceased Padmavathi is a money lender and the accused / A-6 borrowed money from her and he knows about the influential capacity of the deceased, A-1 and A-3 are brothers and they are native of Madurai and A-2, A-4 and A-5 are friends of A-1 and A-3. While so, on 04.03.2015, the accused trespassed into the house of the deceased and committed murder for gain.

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3.Learned counsel appearing for the petitioners would submit that A-3 was arrested on 13.03.2015 by the respondent police and he was illegally detained and beaten up by the respondent police. A-1, who is brother of A-3 questioned the illegal act of the respondent, due to wordy quarrel, all the accused have been implicated in Crime No.158 of 2015 and subsequently, they were implicated in earlier case filed in the year 2014. It is further submitted that the petitioners name are not mentioned in F.I.R. and the accused were implicated in earlier cases based on confession of A-2. It is also submitted that one of the accused was granted bail by this Court.

4.Per contra, learned Government Advocate [Criminal Side] appearing for the respondent would submit that the accused are habitual offenders and they are from Madurai District and neighbouring areas, whereas the occurrence had taken place in Coimbatore and Tiruppur Districts. Apart from these cases, A-1 and A-2 have involved in previous cases in Crime Nos.25, 260 and 466 of 2015.

5.Considering the allegations made against the petitioners, this Court is of the opinion that the petitioners are not entitled for bail and hence, these Criminal Original Petitions are dismissed.

25.02.2016

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