



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Thursday, the Eighteenth day of June Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.10738 of 2015

D. PALANIVEL

... PETITIONER / ACCUSED
Vs

state rep.through
THE INSPECTOR OF POLICE
R.S. MANGALAM POLICE STATION, RAMANATHAPURAM DISTRICT,
CRIME NO.147/2014 ... RESPONDENT / COMPLAINANT

For Petitioner : M/S.M.SHEIK ABDULLAH Advocate

For Respondent : MR.K.V.RAJARAJAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who is the sole accused in Crime No.147 of 2014 on the file of the respondent police was arrested and remanded to judicial custody for the alleged offences punishable under Sections 449, 302, 307, 326, 324 and 294(b) and hence, seeks bail.

2.The case of the prosecution is that on 20.12.2013 at about 8.00 p.m., the petitioner who was in inebriated mood attacked and caused death of two persons and injured five other persons.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. It is further submitted that the petitioner has no bad antecedents and even as per the case of the prosecution due to sudden provocation, he attacked the deceased and the injured.

4. The learned Government Advocate (crl. side) appearing for the respondent police vehemently opposed the bail petition stating that the petitioner has caused death of two persons and attacked five innocent people with an iron rod and after discharge, one of the injured was died. He would further submit that if the petitioner is granted bail, he will not be available for trial.

5. Considering the gravity of the offence, this Court is not inclined to grant bail to the petitioner. Accordingly, this petition is dismissed. However, considering the period of incarceration, this Court is inclined to issue direction to the first Additional Sessions Judge, Ramanathapuram to dispose of the case in S.C.No.103 of 2014 within a period of two months from the date of receipt of a copy of this order.

sd/-

18/06/2015

/ TRUE COPY /



TO

- 1 THE I ADDITIONAL SESSIONS JUDGE, RAMANATHAPURAM
- 2 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI
- 3 THE INSPECTOR OF POLICE
R.S. MANGALAM POLICE STATION, RAMANATHAPURAM DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

Sm:23.06.2015:2P/5C

ORDER
IN
CRL OP(MD) No.10738 of 2015
Date :18/06/2015