



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

Thursday, the Nineteenth day of November Two Thousand Fifteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.21145 of 2015

1 VINAYAGAM	..1ST PETITIONER/1ST ACCUSED
2 ULAGANATHAN	..2ND PETITIONER/2ND ACCUSED
3 SIVAN SAIT	..3RD PETITIONER/8TH ACCUSED
4 VELTHURAI	..4TH PETITIONER/11TH ACCUSED

Vs

THE STATE REP BY ITS
THE INSPECTOR OF POLICE
PAPPAKUDI POLICE STATION,
TIRUNELVELI DISTRICT.
(IN CRIME NO.151/2015)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S S.LINGARASU Advocate
For Respondent : M/S.K.ANBARASAN, Govt. Advocate (Crl. Side)

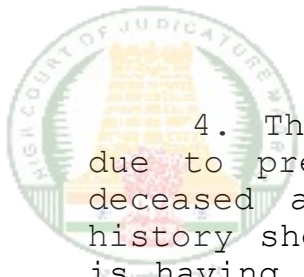
PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused Nos.1, 2, 8 and 11, in Crime No.151 of 2015 on the file of the respondent police, was arrested on 04.09.2015 for the alleged offences punishable under Sections 147, 148, 294(b), 323, 324, 307, 506(ii), 295 of I.P.C., and Section 3 of TNPPDL Act and subsequently altered to 147, 148, 294(b), 323, 324, 307, 302, 506(ii) and 295 of I.P.C. and Section 3 of TNPPDL Act and hence, seek bail.

2. The case of the prosecution is that due to previous enmity, during temple festival, the petitioners and other named accused and two unnamed accused attacked the deceased and two others with iron rod, stick and aruval and caused injuries.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. It is further submitted that the petitioners are in judicial custody from 04.09.2015 and the co-accused viz., A16 and A17 were already arrested and enlarged on bail by the lower Court in Crl.O.P(MD) Nos.6043 of 2015 and 5788 of 2015 dated 08.10.2015.



4. The learned Government Advocate (Crl.side) submitted that due to previous enmity, the petitioners and others attacked the deceased and two others with iron rod and the petitioners are history sheeted. It is further submitted that the first petitioner is having four previous cases, the second petitioner is having two previous cases, the third petitioner is having one previous case and the fourth petitioner is having two previous cases.

5. Taking into consideration that the petitioners and others attacked the deceased and caused death, during temple festival and the petitioners are history sheeted and the investigation is pending and the reason given for enlarging the co-accused on bail do not advance the case of the petitioner, this Court is not inclined to grant bail to the petitioners. Hence, this petition is dismissed.

sd/-
19/11/2015

/ TRUE COPY /

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

TO

1. THE INSPECTOR OF POLICE
PAPPAKUDI POLICE STATION, TIRUNELVELI DISTRICT.
2. THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT
MADURAI
3. THE SUPERINTENDENT, CENTRAL PRISON, PALAYAMKOTTAI
TIRUNELVELI DISTRICT

RL/4C/SK/SARI/25/11/2015

ORDER
IN
CRL OP(MD) No.21145 of 2015
Date :19/11/2015