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

Thursday, the Twenty Second day of January Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.213 of 2015

1 NAMBIRAJAN
2 PITCHUMANI
3 RAMESH ... PETITIONERS/ACCUSED 7, 8 & 13

Vs

STATE REP BY THE INSPECTOR OF POLICE
VEERAVANALLUR POLICE STATION, TIRUNELVELI DT.
CR.NO.246 OF 2014 ... RESPONDENT/COMPLAINANT

For Petitioner : M/S.V.ANGUSAMY Advocate
For Respondent : MR.A.P.BALASUBRAMANI Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners, who were arrested and remanded to judicial custody in respect of the offences punishable under Sections 147, 148, 449, 302, 506(ii) of Indian Penal Code r/w 149 of Indian Penal Code, in Crime No.246 of 2014 on the file of the respondent police, seek bail.

2. It is the case of retaliation murder. It is seen that these petitioners along with the other accused have entered into the house of the deceased on 29.10.2014 and had attacked him indiscriminately and killed him in retaliation of another case, in which, the deceased is alleged to have been involved against these petitioners. Insofar as these petitioners are concerned, Nambirajan (A-7) surrendered before the learned Judicial Magistrate, Nanguneri on 03.11.2014 and that date cannot be construed for computing the statutory period under Section 167(2) of Code of Criminal Procedure. Similarly, Pitchumani (A-8) also surrendered before the learned Judicial Magistrate, Valliyoor on 05.11.2014.

3. It is represented by the learned Government Advocate (Criminal side) that A-1 to A-3 are still absconding. There is one previous case as against Nambirajan (A-7) in Crime No.327 of 2012 and against Pitchumani (A-8) in Crime No.327 of 2012.

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4. Taking into consideration the gravity of the allegations levelled against these petitioners, this Court is not inclined to grant bail to the petitioners. Hence, the Criminal Original Petition is dismissed.

sd/-
22/01/2015

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

TO

1 THE INSPECTOR OF POLICE
VEERAVANALLUR POLICE STATION, TIRUNELVELI DT.

2 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI

3 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.213 of 2015
Date :22/01/2015

AA/28.01.2015/2p- 4c/

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