



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

Thursday, the Twenty Sixth day of November Two Thousand Fifteen

PRESENT

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

CRL OP(MD) No.22202 of 2015

KRISHNAKUMAR

... PETITIONER/ACCUSED NO.1

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE
Q BRANCH CID,
RAMANATHAPURAM,
IN CRIME NO. 1 OF 2015

... RESPONDENT/COMPLAINANT

For Petitioner : M/S T.BANUMATHY Advocate

For Respondent : MR.K.ANBARASAN, Government Advocate (Crl. Side)

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

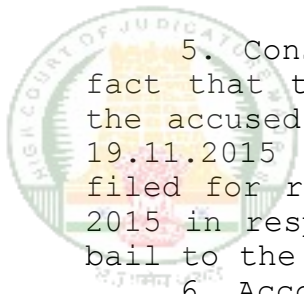
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused No.1, in Crime No.1 of 2015 on the file of the respondent police, was arrested and remanded to judicial custody on 21.07.2015 for the alleged offences punishable under Sections 10(a)(i) and (iv) and 38(1) of unlawful activities (Prevention) Act, 1967 Section 3(a) r/w. 12(1)(a) of Passport Act, 1967, Sec.3 and 14(c) of Foreigners Act, 1946, Sec.6 of Poisons Act, 1919 and Sect 419 of Indian Penal Code and hence, seeks bail.

2. The case of the prosecution is that on 20.07.2015, the respondent police during vehicle check up, intercepted the vehicle Tata Indica Car, bearing Regn. No.TN 0& BK 3574 with 75 Cyanide Capsules, 300 grm, Chemicals, 4 GPS instruments, 9 Cellphones, Indian Currency Rs.46,200/-, Sri Lankan Currency 19,300/- and one sovereign of gold chain and seized the same and hence, a case has been registered.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent and he has not committed any offences as alleged in the prosecution. He further submitted that from the year 2009 to till date, the petitioner has not involved in any illegal activities, but, the name of the petitioner has been wrongly implicated in this case. He is in judicial custody from 21.07.2015.

4.The learned Government Advocate (Crl. Side) submitted that the petitioner is a Srilankan and member of LTTE, a banned organisation of India and they are trying to use LTTE organisation against Srilankan Government. The Petitioner already filed petition in Crl.O.P.(MD). No.17661 of 2015 was dismissed by this Court, vide order dated 29.09.2015, and totally there are 6 accused in this case and four accused were arrested and two accused are yet to be arrested and the case is still pending. Therefore, he strongly objected to grant bail to the petitioner.



5. Considering the gravity of the offence and also considering the fact that there is no change in circumstances and the petition filed by the accused/A3 for enlarging him on bail was dismissed by this court on 19.11.2015 made in Crl.O.P(MD).No.21476 of 2015 and that the petition filed for relaxation in M.P(MD).No.1 of 2015 in Crl.O.P(MD).No.17060 of 2015 in respect of A2 was dismissed, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, the Criminal Original Petition is dismissed.

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sd/-
26/11/2015

/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE, Q BRANCH CID, RAMANATHAPURAM,
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 3 THE SUPERINTENDENT, CENTRAL PRISON, PUZHAI.

CSL/PM/SAR-I/02.12.2015/2p/4c

ORDER
IN
CRL OP(MD) No.22202 of 2015
Date :26/11/2015