



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

Wednesday, the Twenty Fifth day of November Two Thousand Fifteen

PRESENT

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

CRL OP(MD) No.22265 of 2015

1 PACKIYARAJ
2 THANGAIAH
3 PALANICHAMY
4 PALCHAMY
5 SUNDARRAJ

... PETITIONERS / ACCUSED 1 to 5
Vs

The State Rep.by
THE SUB INSPECTOR OF POLICE
NATHAM POLICE STATION,
DINDIGUL DISTRICT.
CR NO.611 OF 2015.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S D.SELVARAJ Advocate

For Respondent : Mr.K.Anbarasan, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners/Accused Nos.1 to 5, who were arrested and remanded to judicial custody on 21.10.2015 for the alleged offences punishable under Sections 324, 395 and 506(ii) of IPC, in Crime No.611 of 2015 on the file of the respondent police and hence, seek bail.

2.The case of the prosecution is that on 21.10.2015 on Meiyar and Alagarsamy went to purchase the cattle and they were not able to purchase the cattle and they had returned, the petitioner and other accused way-laid the and forcibly took away the money and threatened the defacto complainant and Alagarsamy and therefore, the case has been registered for the above said offences.

3.The case of the petitioner is that he is an innocent person and he has not committed any offence. Originally one Palani, the father the first accused was kidnapped by few persons from their village on 18.10.2015 and hence the brother of the first accused filed a complaint before the respondent police and a case has been registered in Cr.No.607 of 2015 under Section 365, 324 and 506(ii) of IPC against one Duraimurugan and Prasath. Subsequently, the father of A1 was found. Due to the the dispute, the defacto complainant has given a false complainant. The petitioners were arrested on 21.10.2015 and they are in judicial custody for more than 34 days.

4.The learned Government Advocate (Crl.side) submitted that the accused persons way-laid the defacto complainant and another person by https://hcrs.csis.gov.in/hcrs/ a sum of Rs.1,000/- and the investigation is pending. He further submitted that the petitioners were arrested for the above said offences and the amount is yet to be recovered from the accused.



5. Considering the gravity of offences and the amount is not yet recovered, I am not inclined to grant bail to the petitioner. Hence, this petition is dismissed.

sd/-
25/11/2015

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WEB COPY

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

TO

- 1 THE OFFICER IN CHARGE,
DISTRICT PRISON, DINDIGUL
- 2 THE SUB INSPECTOR OF POLICE
NATHAM POLICE STATION,
DINDIGUL DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

sm:sk-skn:AR II:30.11.2015:2P/4C

ORDER
IN
CRL OP(MD) No.22265 of 2015
Date :25/11/2015