



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.22416 of 2015

RAMESH

... PETITIONER/ ACCUSED NO.8

Vs

THE STATE REP. BY
THE INSPECTOR OF POLICE
SIVAKASI POLICE STATION,
VIRUDHUNAGAR DISTRICT.
(CRIME NO.447/2015)

... RESPONDENT/ COMPLAINANT

For Petitioner : Mr.B.JEYAKUMAR 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 petitioner, who is arrayed as accused No.8, in Crime No.447 of 2015 on the file of the respondent police, was arrested and remanded to judicial custody on 20.10.2015 for the alleged offences punishable under Sections 120(b), 147, 148 and 302 of IPC and hence, seeks bail.

2. The case of the prosecution is that the deceased Johnson who is husband of the de facto complainant and A1, Rameshkumar are close friends and the both of them are involved in some other cases jointly and that police enquired the deceased frequently and therefore, the deceased shifted his house to Samathuvapuram area for peaceful life. In the mean time, the defacto complainant's husband's brother viz., John peter had quarrelled with A1 and therefore, the deceased questioned the A1, a motive arose between them. Due to that motive, A1 conspired with A2 to A7 and thereby, committed murder of the deceased with deadly weapons in front of the private wine shop.

3. The learned counsel for the petitioner submitted that the name of the petitioner is not found in FIR and there is no overtact attributed against him. Only based on the confession statement of A2, the name of the petitioner has been falsely implicated in this case.

4. The learned Government Advocate (Crl. Side) would submit that the deceased is a rowdy and due to the motive between the deceased group and accused group, they conspired together and murdered the deceased and the case of the investigation is pending and that if the petitioner is enlarged on bail, he will tamper the evidence and hamper the investigation. Hence, he strongly objected to grant bail to the petitioner.



5. Considering the gravity of offence and also considering the submission of the learned Government Advocate (Crl. Side) that if the petitioner is enlarged on bail he will tamper the witnesses, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, the Criminal Original Petition is dismissed.

sd/-

26/11/2015

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

TO

- 1 THE INSPECTOR OF POLICE
SIVAKASI POLICE STATION, VIRUDHUNAGAR DISTRICT
- 2 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.22416 of 2015

Date :26/11/2015

NS/PM-MP/SAR II/01.12.2015 : 2P/4C