



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

Thursday, the Third day of December Two Thousand Fifteen

PRESENT

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

CRL OP(MD) No.22497 of 2015

SANTHANAM

... PETITIONER / SOLE ACCUSED

Vs

THE STATE REP.BY THE INSPECTOR OF POLICE
KOVILPATTI WEST POLICE STATION,
TUTICORIN DISTRICT,
CR NO.748 OF 2015.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.K.SEEMARAJ Advocate

For Respondent : M/S.K.Anbarasan Government Advocate (Crl. Side)

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

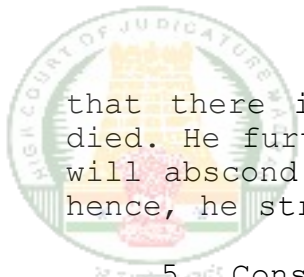
ORDER : The Court Made the following order :-

The petitioner, who is the sole accused, in Crime No.748 of 2015 on the file of the respondent police, was arrested and remanded to judicial custody on 24.09.2015 for the alleged offences punishable under Sections 279,338 of IPC@ 294(b),324,307 of IPC @ 302 of IPC and hence, seeks bail.

2. The case of the prosecution is that the de facto complaint gave a complaint that the deceased met with an accident and he was admitted in the hospital. Based on that, a case has been registered for the offences under Sections 279 and 338 of IPC. Subsequently, on investigation it was found that, it was not a case of accident, due to the quarrel between the petitioner and the deceased at Van stand, the petitioner attacked the deceased and caused death and therefore, the case was altered into Sections 294(b),324 and 307 of IPC. Subsequently, on 23.09.2015, the deceased was died and thereafter, the case was altered into Section 302 of IPC.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent and he has been falsely implicated in this case. He further submitted that in the accident register, it is only shown that the deceased met with an accident.

4. The learned Government Advocate (Crl. Side) submitted that the investigation by the respondent police and an enquiry made in the place of occurrence, it was found that the petitioner attacked the deceased with knife on his head and vital parts and the Postmortem certificate shows



that there is a stab injury, on the deceased body and due to which he died. He further submitted that if the petitioner is enlarged on bail, he will abscond and will tamper the evidence and hamper the investigation and 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/-
03/12/2015

/ TRUE COPY /

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

TO

- 1 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 2 THE INSPECTOR OF POLICE
KOVILPATTI WEST POLICE STATION, TUTICORIN DISTRICT,
- 3 THE SUPERINTENDENT, CENTRAL PRISON, PALAYAMKOTTAI.

+1. CC to M/S.K.SEEMARAJ Advocate SR.No. 69360.

TS/04.12.2015/2P-5C/DP-JGB/SAR - II

ORDER
IN
CRL OP(MD) No.22497 of 2015
Date :03/12/2015