



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

Wednesday, the Ninth day of December Two Thousand Fifteen

PRESENT

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

CRL OP(MD) Nos.23345 & 23340 of 2015

S.MAHA PRABHU

REP.BY HIS FATHER SOMANATHAN

... PETITIONER / ACCUSED NO.6
IN CRL OP(MD)NO.23345/2015 and
PETITIONER / ACCUSED NO.4
IN CRL OP(MD)NO.23340/2015

Vs

THE STATE REP.BYS

1.THE INSPECTOR OF POLICE

AMATHUR POLICE STATION, AMATHUR,
VIRUDHUNAGAR DISTRICT

CRIME NO.297/2015 IN CRL OP(MD)NO.23345/2015

... RESPONDENT / COMPLAINANT

2.THE INSPECTOR OF POLICE

SOOLAIKARAI POLICE STATION, SOOLAIKARAI
VIRUDHUNAGAR DISTRICT

CRIME NO.263/2015 IN CRL OP(MD)NO.23340/2015

... RESPONDENT / COMPLAINANT

For Petitioner : M/S T.A.EBENEZER Advocate
In both the cases.

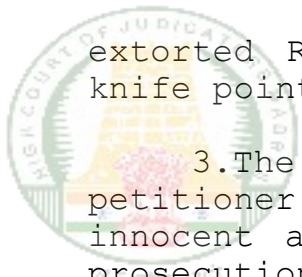
For Respondent : MR.K.ANBARASAN, Govt. Advocate (Crl. Side)
In both the cases.

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

ORDER : The Court Made the following order :-

The petitioner/Accused No.4, who was arrested and remanded to judicial custody on 09.09.2015 for the alleged offences punishable under Section 392 of IPC, in Crime No.263 of 2015 on the file of the respondent police and the petitioner/Accused No.6, who was arrested and remanded to judicial custody on 10.09.2015 for the alleged offences punishable under Sections 341, 307, 302, 109 of IPC and Section 4 of TNPWH Act and hence, seeks bail.

2.The case of the prosecution in Crl.O.P(MD)No.23345 of 2015 is that the petitioner and five others attacked the deceased with aruval and murdered him on 06.09.2015. The case of the prosecution in Crl.O.P(MD)No.23340 of 2015 is that on 08.09.2015 the petitioner along with other accused went in TATA Sumo Car and demanded and



extorted Rs.220/- and one silver ring worth about Rs.1,000/- at knife point.

3.The case of the petitioner in both the cases is that the petitioner is aged about 17 years,he is a juvenile and he is an innocent and he has not committed any offence as alleged by the prosecution.

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4.The learned Government Advocate (Crl.side) submitted that the petitioner along with other accused murdered the deceased in Cr.No.297 of 2015 and in Cr.No.263 of 2015 the petitioner and other accused went in TATA Sumo Car and demanded and extorted Rs.220/- from the defacto complainant. The petitioner is in the group and hirelings and hooligans and they murdered the deceased. The Juvenile Board considered the bail application. A report was called for from the Social Welfare Officer. The petitioner is in association with elders and the activities of the petitioner was not satisfactory and the petitioner and other accused persons are habitual offenders and if he is enlarged on bail he will continue the similar offence.

5.Considering the gravity of the offence and also considering the fact that the petitioner is a habitual offender, I am not inclined to grant bail to the petitioner. Hence, these petition is dismissed.

sd/-

09/12/2015

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

TO

- 1 THE OFFICERS INCHARGE
JUVENILE JUSTICE PRISON, VIRUDHUNAGAR.
- 2 THE ADDL.PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 3 THE INSEPECTOR OF POLICE
SOOLAIKARAI POLICE STATION, VIRUDHUNAGER DISTRICT.
- 4 THE INSPECTOR OF POLICE
AMATHUR POLICE STATION, AMATHUR,VIRUDHUNAGAR DISTRICT

+1. CC to M/S T.A.EBENEZER Advocate SR.No.70761

ORDER
IN

CRL OP (MD) Nos.23345 & 23340 of 2015

Date :09/12/2015

RG.JGB-DP/SAR-I 11.12.2015 2P.6C