



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

Friday, the Eleventh day of December Two Thousand Fifteen

PRESENT

THE HON`BLE MS.JUSTICE V.M.VELUMANI

CRL OP(MD) No.23581 of 2015

M. SIVAKUMAR

... PETITIONER / 2ND ACCUSED

Vs

THE STATE REP BY THE INSPECTOR OF POLICE
NADUKAVERI POLICE STATION,
THANJAVUR DISTRICT.
(CRIME NO. 2 OF 2010)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S B.JAMEEL ARASU Advocate

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

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

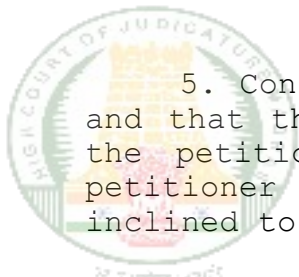
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused as A2, in Crime No.2 of 2010 on the file of the respondent police, was arrested and remanded to judicial custody on 03.08.2015 for the alleged offences punishable under Sections 379 and 302 of IPC r/w. Sect. 34 of IPC and hence, seeks bail.

2. The case of the prosecution is that the petitioner was absconding and the charge sheet was filed and the Non-Bailable warrant was issued against him. Subsequently, on 03.08.2015, the petitioner was arrested and remanded to judicial custody. Now, he has filed the present petition for enlarging him on bail.

3. The learned counsel appearing for the petitioner submitted that the petitioner has not appeared before the concerned Court for hearing and therefore, non-bailable warrant was issued against the petitioner.

4. The learned Government Advocate (Crl. Side) vehemently opposed to grant bail the petitioner and submitted that the petitioner is accused in the case of murder for gain. Due to the pendency of the non-bailable warrant, entire case was stalled and the petitioner has involved in two previous cases. He further submitted that petitioner was absconding for more than five years and at that time absconding charge sheet was filed and thereafter, he was arrested only on 03.08.2015 for the occurrence took place in the year 2010. He further contended that if the petitioner is released on bail he will tamper the evidence and hamper the



5. Considering the nature of allegations made against the petitioner and that the petitioner has involved in the case murder for gain; that the petitioner has involved in two previous cases and the that the petitioner has absconded for more than five years, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, the Criminal Original Petition is dismissed.

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sd/-
11/12/2015

/ TRUE COPY /

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

TO

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

ORDER
IN
CRL OP(MD) No.23581 of 2015
Date :11/12/2015

GJM/PM/SARII-16.12.2015-2p-4C