



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

Wednesday, the Fifteenth day of April Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.6745 of 2015

MAHESWARAN

... PETITIONER/ ACCUSED No.2

Vs

THE STATE REP. BY THE SUB-INSPECTOR OF POLICE
PANTHALKUDI POLICE STATION, VIRUDHUNAGAR,
CRIME NO.193/2014

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.G.MARIAPPAN Advocate

For Respondent : M/S.R.SHENMUGHA VELAYUTHAM PUBLIC PROSECUTOR
ASSISTED BY M/S.K.V.RAJARAJAN GOVERNMENT ADVOCATE (CRL.SIDE)

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

ORDER : The Court Made the following order :-

The petitioner is A2 and he was arrested on 29.11.2014 and remanded to judicial custody for the alleged offences punishable under sections 448 and 302 of IPC, in Crime No.193 of 2014 on the file of the respondent police and hence, seeks bail.

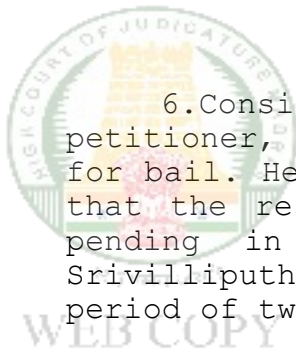
2.The case of the prosecution is that A1 was having unnatural relationship with the deceased, who was 13 years old school student and the mother of the deceased had seen A1 and the deceased in a compromising position and she scolded A1 and thereafter, A1 joined in a Mill, where the petitioner/A2 was working and both of them have conspired together to do away the deceased. In pursuance of the conspiracy, it is alleged that on 28.11.2014, A2 had taken A1 to the school, where the deceased was studying and after dropping A1 for the commission of the offence, A2 was waiting in a motor bike to escape from the scene of occurrence.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and the entire allegations are made only against A1.

4.Per contra, Mr.P.Shanmugavelayutham, the learned Public Prosecutor appearing for the State has submitted that A2 is the main accused in this case, who is providing money to A1 for purchasing the knife, which was used in the occurrence and he had conspired with A1 and took A1 to the scene of occurrence and after the commission of the offence, both were escaped from the scene.

<https://hcservices.ecourts.gov.in/hcservices/>

5.It is further submitted that the respondent has completed the investigation and also laid a charge sheet in this case.



6.Considering the nature of the allegation made against the petitioner, this court is of the view that the petitioner is not entitled for bail. Hence, this petition is dismissed. However, considering the fact that the respondent has already filed the charge sheet and the case is pending in S.C.No.60 of 2015 on the file of the Mahila Court, Srivilliputhur, the learned trial Judge shall dispose of the case within a period of two months from the date of receipt of a copy of this order.

sd/-
15/04/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE MAHILA COURT, SRIVILLIPUTHUR.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 3 THE OFFICER INCHARGE, DISTRICT JAIL, VIRUDHUNAGAR.
- 4 THE SUB-INSPECTOR OF POLICE
PANTHALKUDI POLICE STATION, VIRUDHUNAGAR.

+1. CC to M/S.G.MARIAPPAN Advocate SR.No.19315.

TS/17.04.2015/2P-6C

ORDER
IN
CRL OP(MD) No.6745 of 2015
Date :15/04/2015