



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

Thursday, the Twelfth day of February Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.897 of 2015

ARUMAIKODI

... PETITIONER/ACCUSED NO. 5

Vs

STATE REP BY THE INSPECTOR OF POLICE

KADALADI POLICE STATION, RAMANATHAPURAM DT,

CRIME NO.110/2011

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.MAYAPERUMAL Advocate

For Respondent : MR.A.P.BALASUBRAMANI Govt. Advocate (Crl. Side)

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

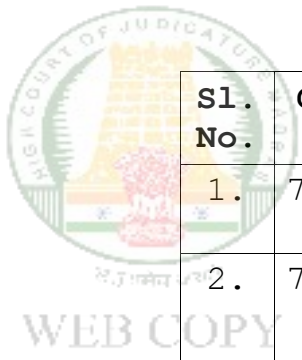
ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 19.12.2014 for the alleged offences punishable under Sections 294(b), 506(ii) IPC r/w Section 5 of Indian Explosive Substance Act, 1908 in Crime No.110 of 2011 on the file of the respondent police, seeks bail.

2. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) appearing for the State.

3. The case of the prosecution is that on 29.12.2011, Boominathan (A1) picked up quarrel with the defacto complainant and in the evening, he was in possession of bombs near the house of the defacto complainant. At that time, one bomb suddenly fell down and exploded. During the course of investigation, it came to light that Boominathan was carrying bombs to hurl at the defacto complainant and murder him. Some of the accused were arrested and in their confession statement, they have clearly implicated this petitioner as a part of the gang, which was intending to commit murder of the defacto complainant.

4. In Paragraph No.4 of the counter affidavit, respondent has given a number of cases pending against this petitioner.



Sl. No.	Crime No.	Police Station	Offence
1.	750 / 2009	South Police Station, Rajapalayam	U/s.147, 294(b), 506(ii) of IPC
2.	796 / 2010	North Police Station, Rajapalayam	U/s.286, 429 of IPC r/w 9(b)(1) IE Act, 1884
3.	71 / 2014	Sethur Police Station, Virudhunagar District	U/s.3 & 5 of Explosive Substance Act
4.	01 / 2010	Forest Range, Rajapalayam	U/s.9 & 39 of WLOR Act

Sl. No.	Crime No.	Police Station	Offence
5.	05 / 2011	Forest Range, Rajapalayam	U/s.9 & 39 of WLOR Act
6.	02 / 2013	Forest Range, Rajapalayam	U/s.21(D) (E) (F) of STOR Act

5. Learned counsel for the petitioner submitted that the incident is of the year 2011 and only now, the petitioner has been arrested. That may not be a good reason to grant bail to this petitioner in view of the reason that this petitioner was absconding and involved in other illegal activities.

6. Taking into consideration the serious nature of allegation against this petitioner, this is not a fit case to grant bail to him. Hence, the Criminal Original Petition is dismissed.

sd/-

12/02/2015

/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE, KADALADI POLICE STATION, RAMANATHAPURAM
- 2 THE ADDL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 3 THE SUPERINTENDENT, CENTRAL PRISON, RAMANATHAPURAM

ORDER

IN

CRL OP(MD) No.897 of 2015

Date : 12/02/2015