



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

Wednesday, the Twenty Seventh day of January Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.1170 of 2016

SURIYA

... PETITIONER/ ACCUSED No.8

Vs

STATE REPRESENTED BY

THE INSPECTOR OF POLICE

KALLAPERAMBUR POLICE STATION, TANJAVORE,

CR.No.124/2015

... RESPONDENT / COMPLAINANT

For Petitioner : M/S N.SEKAR Advocate

For Respondent : Mr.P.KANNITHEVAN, Government 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 A8 in Crime No.124 of 2015 on the file of the respondent police, was arrested and remanded to judicial custody on 26.11.2015 for the alleged offences punishable under Section 302 of I.P.C., and hence, seeks bail.

2. The case of the prosecution is that the de-facto complainant and his brother viz., Appu @ Sathishkumar are the accused in one Malaiarasan murder case. On the date of occurrence, when the de-facto complainant and his brother/deceased were standing near Vadakal bus stop, four persons chased the de-facto complainant and his brother/deceased with deadly weapons and assaulted him brutally. Due to that, his brother died and on the complaint, the case has been registered against the petitioner.

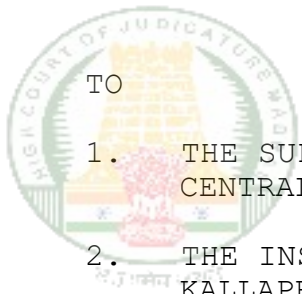
3.The case of the petitioner is that the petitioner is an innocent person and he has not committed any offence and he has been falsely implicated, only based on the confession of the co-accused.

4.The learned Government Advocate (Crl.side) submitted that the petitioner is a history sheet rowdy in H.S.No.180 of 2013 and he is having two previous cases and he took active part in attacking the de-facto complainant and his brother/deceased and the investigation is pending. He further submitted that the other accused are still in judicial custody. If the petitioner is enlarged on bail, he will abscond and tamper the witness.

5.Considering the gravity of offence and the earlier cases pending against the petitioner and the petitioner is a history sheet rowdy and the other accused are still in judicial custody, this Court is not inclined to grant bail to the petitioner. Hence, this petition is dismissed.

sd/-

27/01/2016



TO

1. THE SUPERINTENDENT
CENTRAL PRISON, TRICHY
2. THE INSPECTOR OF POLICE
KALLAPERAMBUR POLICE STATION, TANJAVORE,
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

WEB COPY

ORDER
IN
CRL OP(MD) No.1170 of 2016
Date :27/01/2016

Ns
SH/PM-MP/AR-II:02.02.2016:2P/4C