



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

Friday, the Fifteenth day of July Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.11849 of 2016

S. JEYAPRAKASH

... PETITIONER / ACCUSED NO.1

Vs

STATE BY
THE INSPECTOR OF POLICE
SATTUR TALUK POLICE STATION,
IN CR.NO. 148 OF 2016

... RESPONDENT / COMPLAINANT

For Petitioner : M/S M.MICHAEL BHARATHI Advocate

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

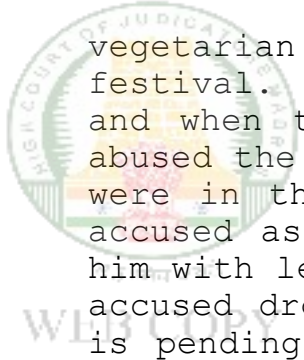
PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner is arrayed as accused No.1, who was arrested and remanded to judicial custody on 14.06.2016 for the alleged offences punishable under Sections 302 and 201 IPC, in Crime No.148 of 2016, on the file of the respondent police and hence, seeks bail.

2.The case of the prosecution is that the father of the de facto complainant found missing from 10.05.2016 and on 13.05.2016, his dead body was found in the well outside the village. On complaint, case has been registered for the above said offences.

3.The case of the petitioner is that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. The relatives of the deceased assaulted the petitioner to reveal the names of the persons, who murdered the deceased. Due to that the petitioner suffered injuries and he was admitted in the hospital and he was taking treatment from 17.05.2016 to 31.05.2016 in Government Hospital, Sattur. The petitioner lodged a complaint against the relative of the deceased, who assaulted him and he obtained anticipatory bail. After discharge from the hospital, the respondent police detained him for five days and forced him to confess that he only murdered the deceased and on complaint to the higher authorities, he was allowed to go out of the police station. The confession of the petitioner is not voluntary. The petitioner is in judicial custody from 14.06.2016.



vegetarian meals and issued token to the people in a temple festival. The deceased entered into the dining hall without token and when the same was questioned by the petitioner, the deceased abused the petitioner and others and spitted against the persons who were in the dining hall and due to that the petitioner and other accused assaulted the deceased indiscriminately with hands, kicked him with legs on his chest and neck and caused his death and all the accused dropped the body of the deceased in a well. Investigation is pending. If the petitioner is released on bail, he will tamper the evidence and hamper the investigation.

5.Considering the facts and circumstances of the case and also considering the serious nature of allegations levelled against the petitioner, this Court is not inclined to enlarge the petitioner on bail and accordingly this petition is dismissed.

sd/-
15/07/2016

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

TO

- 1 THE OFFICER INCHARGE
DISTRICT JAIL, VIRUDHUNAGAR
- 2 THE INSPECTOR OF POLICE
SATTUR TALUK POLICE STATION
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1cc to M/s.V.Sasikumar, Advocate SR.No.37238

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ORDER
IN
CRL OP(MD) No.11849 of 2016
Date :15/07/2016