



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

Friday, the Eleventh day of November Two Thousand Sixteen

WEB COPY

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.21480 of 2016

1 KUMARAN @ SELVAKUMARAN

2 ILAYAPERUMAL

... PETITIONERS/ACCUSED Nos.2 & 3

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE,
SAYERPURAM POLICE STATION,
THOOTHUKUDI DISTRICT
(CRIME NO.113 OF 2016)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.R.ANBARASU Advocate

For Respondent : MRS.S.PRABHA, Govt. Advocate (Crl. Side)

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

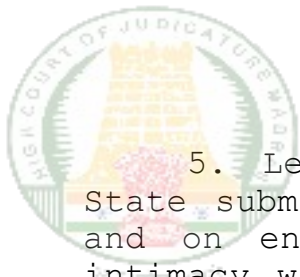
ORDER : The Court Made the following order :-

The petitioners / A2 & A3, who were arrested and remanded to judicial custody on 09.09.2016 and 28.08.2016 respectively for the alleged offences punishable under Section 302 IPC in Crime No.113 of 2016 on the file of the respondent police, seek bail.

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

3. The case of the prosecution is that on 27.08.2016, the petitioners attacked the defacto complainant's elder brother, namely, Ramesh with Aruval and caused his death and the body was found with multiple injuries on the roadside leading to Palayakayal, which resulted in registration of the case.

4. Learned counsel for the petitioners would submit that the 1st petitioner / A2 surrendered himself before the learned Judicial Magistrate, Tiruchendur, Tuticorin District on 09.09.2016 and the 2nd petitioner / A3 was arrested and remanded to judicial custody on 28.08.2016 and only based on the confession statement given by A1, these petitioners have been falsely implicated in this case and A1 was already released on bail by this Court in Crl.O.P.(MD) No.20854 of 2016.



5. Learned Government Advocate (Crl.Side) appearing for the State submitted that there are totally three accused in this case and on enquiry, it was revealed that the deceased had illegal intimacy with the wife of A1, due to which, the petitioners along with other accused murdered the deceased. So far as A2 is concerned, there are 16 previous cases pending against him.

6. Taking note of the serious nature of the offences alleged to have been committed by the accused persons, this Court is not inclined to grant bail to these petitioners. Hence, this petition is dismissed.

sd/-
11/11/2016

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

TO

- 1 THE ADDL.PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 2 THE SUPERINTENDENT
CENTRAL PRISON, PALAYAMKOTTAI, TIRUNELVELI DISTRICT.
- 3 THE INSPECTOR OF POLICE,
SAYERPURAM POLICE STATION,
THOOTHUKUDI DISTRICT

ORDER
IN
CRL OP(MD) No.21480 of 2016
Date :11/11/2016

AM/MPA/SAR-3/29.11.2016/2P/4C