



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

Wednesday, the Twenty First day of December Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL OP(MD) No.23659 of 2016

T.KUMAR,

... PETITIONER / ACCUSED No.2

Vs

The State rep.by

THE INSPECTOR OF POLICE,

THARUVAIKULAM POLICE STATION, THOOTHUKUDI DISTRICT.

(CRIME NO.137/2016)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.M.M.MANIVEL PANDIAN Advocate

For Respondent : Mr.P.Kandasamy Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner/A-2, who was arrested and remanded to judicial custody on 09.10.2016 for the alleged offences punishable under Section 302, in Crime No.137 of 2016 on the file of the respondent police and hence, seeks bail.

2. The case of the prosecution is that due to previous enmity, the petitioner along with other accused committed murder of one Sankaranarayanan.

3. The learned Government Advocate(Crl. Side) appearing for the respondent on instructions submitted that totally there are three accused in this case and the petitioner herein is A-2 and he is said to have attacked the deceased with sword on his head. He further submitted that the investigation is still pending. He further submitted that A-1 and A-2 were arrested on 09.10.2016 and A-3 was arrested on 10.10.2016 and A-3 was ordered to be released on bail as per the order passed in Crl.M.P.No.3314 of 2016, dated 28.11.2016 by the Sessions Court, Tuticorin.

4. It is admitted that the father of the first accused was murdered and the case is retaliation murder case.

5. Considering the above facts and the circumstances of the case and also the considering the fact that this is a case of



retaliation murder and the alleged overt act of the petitioner in the alleged occurrence, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

sd/-
21/12/2016

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WEB COPY

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

TO

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

+1. CC to M/S.M.M.MANIVEL PANDIAN Advocate SR.No.82888

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ORDER
IN
CRL OP(MD) No.23659 of 2016
Date :21/12/2016