

IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Friday, the Eighth day of December Two Thousand Seventeen

PRESENT

The Hon`ble Mr Justice P. N. PRAKASH

CRIMINAL ORIGINAL PETITION No.26937 of 2017

M.DEVAN @ ISSAC

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY,
THE INSPECTOR OF POLICE,
B-7 VELLAVEDU POLICE STATION,
THIRUVALLUR DISTRICT
CR.NO.886 OF 2016.

[RESPONDENT]

For Petitioner : M/S.A.BALASINGH RAMANUJAM Advocate

For Respondent : MR. K.MATHAN, Govt. Advocate (Crl. Side)

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

This is the second bail application and the first bail petition in Crl.O.P.No.17608 of 2017 was dismissed by this Court on 29.08.2017.

2. The learned Government Advocate (Crl.Side) submits that charge sheet has been filed and the case has been taken on file in P.R.C No.16/2017 before the Judicial Magistrate No.II, Poonamallee.

3. However, that cannot be a good reason to grant bail to the petitioner especially taking into consideration the nature of the offence. The facts and circumstances of the case has been set out in paragraph-2 of the earlier bail order in Crl.O.P.No.17608/2017 dated 29.08.2017, which is as under:

" 2. On the complaint lodged by Nithyanantham, the respondent police have registered a case in Cr.No.886 of 2016 for the offences under sections 147, 148, 341, 302, 506(i), 120(B) and 109 against Rakesh (A1), Isaki(A2) and Venkatesan. It is the case of the prosecution that the deceased Thangaraj was the President of Melkanampadu Panchayat and that every day morning he will go for a walk at 5.30 a.m along with some of his friends including the defacto

complainant. Whiles, on 14.10.2016, when the deceased Thangaraj and the defacto complainant were going on their morning walk at 5.30 a.m., the accused herein came in three motor bikes armed with deadly weapons and indiscriminately attacked the deceased Thangaraj, resulting in his death."

4. There are two previous cases against the petitioner, of which, one case is for the offence under Sec.302 IPC. In such view of the matter, it is not a fit case to grant bail to the petitioner at this juncture. Hence the petition is dismissed.

-sd/-
08/12/2017

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE INSPECTOR OF POLICE,
B-7 VELLAVEDU POLICE STATION,
THIRUVALLUR DISTRICT

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL,
CHENNAI.

CC to M/S.A.BALASINGH RAMANUJAM Advocate on payment of
necessary charges

CRL OP.26937/2017

Date :08/12/2017

MK:14/12/2017