



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

Wednesday, the Ninth day of August Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.10487 of 2017

RAJIV @ RAJ

... PETITIONER / ACCUSED NO.18

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
UCHIPULI POLICE STATION,
IN CR.NO.161/2017,
RAMANATHAPURAM DISTRICT

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.M.SUBASH BABU Advocate

For Respondent : MR.A.RAMAR Additional Public Prosecutor

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

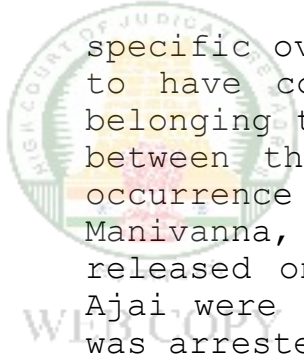
ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 30.07.2017, for the offences punishable under Sections 147, 148, 341, 324, 307, 302 and 506(ii) of IPC., @ 147, 148, 341,, 342, 307, 302, 506(ii), 120(b) and 109 of IPC., in Crime No.161 of 2017, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that petitioner along with other accused said to have conspired to kill any of the person belonging to the deceased community, since there was a group clash between the two communities and due to that enmity, they killed the deceased. The specific over act against the petitioner is that he caught hold of the deceased, during the occurrence.

3. The learned counsel appearing for the petitioner states that the petitioner has not involved any such offence, as alleged by the defacto complainant and originally, the petitioner's name was not found in the FIR and subsequently, he was arrayed as accused in this case. Since the petitioner and other accused are residing in the same village, he has been roped in this case. He also submitted that the petitioner is an Engineering student, studying II Year and he has been falsely implicated in this case.

4. The learned Additional Public Prosecutor appearing for the respondent, on instructions, would submit that there are totally seven named accused and 20 others and during investigation, some more persons implicated as accused and totally, 39 accused in this case and the petitioner herein is arrayed as A18, on the basis of the confession of A1. A1 has been detained under Goondas Act. The



specific overt act attributed against the petitioner is that he said to have conspired with other accused to kill any of the person belonging to the deceased community, since there was a group clash between the two communities and due to that enmity, the alleged occurrence took place. A5/Palanikumar, A6 /Balamurugan, A13 / Manivanna, A19 / Shankar and A20 / Muthukumar were arrested and released on bail by this Court and A23 / Prabhakaran and A24 / Ajai were granted anticipatory bail by this Court. The petitioner was arrested on 30.07.2017 and remanded to judicial custody.

5. Considering the above facts and circumstances of the case and also specific overt act attributed against the petitioner on the basis of the confession of A1 that the petitioner is said to have conspired to kill any one belonging to the deceased community and he is said to have caught hold of the deceased during the occurrence and also gravity of the charge against the petitioner herein and he was recently arrested on 30.07.2017 and the investigation is still pending, this Court is not inclined to grant bail to the petitioner, at this stage. Hence, the Criminal Original Petition stands dismissed.

sd/-

09/08/2017

/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE
UCHIPULI POLICE STATION, RAMANATHAPURAM DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 3 OFFICER IN CHARGE,
SUB JAIL, RAMANATHAPURAM.

ORDER

IN

CRL OP(MD) No.10487 of 2017

Date :09/08/2017

MKV-CM-MSA-SAR 3/16.8.2017/2P-4C