



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

Wednesday, the Sixteenth day of August Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.10710 of 2017

GOVINDARAJ

... PETITIONER/SOLE ACCUSED

Vs

THE STATE REP.BY ITS,
THE INSPECTOR OF POLICE
KENIKARAI POLICE STATION,
RAMANATHAPURAM DISTRICT.
CRIME NO.546/2015

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.R.GOWRISHANKAR Advocate

For Respondent : MR.A.RAMAR, Additional Public Prosecutor

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

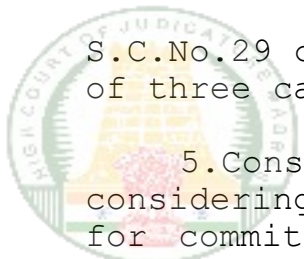
ORDER : The Court Made the following order :-

The petitioner / sole accused who was arrested on 16.03.2016 for the offences punishable under Sections 302 & 379 of IPC and Section 4 of Tamilnadu Women Harassment Act in Crime No.546 of 2015 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner has murdered the deceased for snatching her ear studs.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case.

4.The learned Additional Public Prosecutor submitted that initially case was registered against unnamed accused and during investigation, the petitioner was implicated as accused in this case. He further submitted that two ear rings of the deceased have been recovered from the petitioner and the charge sheet has been filed on 16.05.2016 and the same was taken on file by the Judicial Magistrate, Ramnad in P.R.C.No.27 of 2016 and the same is pending on committal stage. He further submitted that the petitioner is having three previous cases in Crime Nos.153 & 162 of 2013 in Uchapuli Police Station and Crime No.153 of 2014 is pending as Special



S.C.No.29 of 2017 before the District Sessions Court, Ramnad and out of three cases the petitioner was acquitted in two cases.

5.Considering the facts and circumstances of the case and considering the fact that the case in P.R.C.No.27 of 2016 is pending for committal before Judicial Magistrate II, Ramnad and also the gravity of offence said to have been committed by the petitioner, this Court is not inclined to grant bail to the petitioner at this stage. Accordingly, this Criminal Original petition is dismissed.

6.The learned Judicial Magistrate II, Ramnad is directed to commit the case without any further delay.

sd/-

16/08/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, RAMANATHAPURAM.
- 2 DO THROUGH THE CHEIF JUDICIAL MAGISTRATE, RAMANATHAPURAM.
- 3 THE INSPECTOR OF POLICE
KENIKARAI POLICE STATION, RAMANATHAPURAM DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 5 THE OFFICER-IN-CHARGE, SUB-JAIL, RAMANATHAPURAM.

NBJ/GNS

CSL/RR-BS/SAR-I/23.08.2017 : 2P/6C

ORDER

IN

CRL OP(MD) No.10710 of 2017

Date :16/08/2017