



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

Tuesday, the Nineteenth day of September Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.12326 of 2017

KARTHIKEYAN

... PETITIONER / 2nd ACCUSED

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
PALANI ADIVARAM POLICE STATION,
DINDIGUL DISTRICT.
CRIME NO.194/2017

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.T.LENIN KUMAR Advocate

For Respondent : Mr.A.RAMAR, ADDITIONAL PUBLIC PROSECUTOR.

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

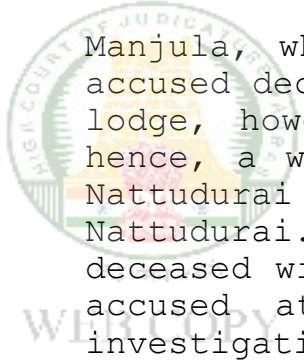
ORDER : The Court Made the following order :-

The petitioner / A2, who was arrested on 08.08.2017 for the offences punishable under Section 174 Cr.P.C. @ 302 IPC in Crime No.194 of 2017 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that a male body, aged about 35 years, was found nearby a channel at Palani bye-pass road and on receiving information, the Village Administrative Officer preferred the present complaint and based on the compliant the present case has been registered by the respondent Police.

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. He would further submit that only based on the confession of the co-accused the petitioner is implicated in this case.

4.The learned Additional Public Prosecutor submitted that initially the case was registered under Section 174 Cr.P.C. and during investigation A1 was arrested and based on his confession, the remaining accused were impleaded as accused. He further submitted that all the accused had sexual intercourse with one



Manjula, who was engaged by a pimp namely, Nattudurai and all the accused decided to have sex with the said Manjula for whole day in a lodge, however, the same was objected by the said Nattudurai and hence, a wordy quarrel arose between all the accused and the said Nattudurai with regard to paying further commission to the said Nattudurai. Due to the same, one Baskaran tied the hands of the deceased with the saree of the said Manjula and thereafter, all the accused attacked him and murdered. He also submitted that investigation is still pending.

5.Considering the facts and circumstances of the case and considering the overt act attributed against the petitioner and investigation is still pending and the occurrence took place on 04.08.2017, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original petition stands dismissed.

sd/-
19/09/2017

/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE
PALANI ADIVARAM POLICE STATION,
DINDIGUL DISTRICT.
- 2 THE OFFICER INCHARGE, DISTRICT JAIL,
DINDIGUL DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.12326 of 2017
Date :19/09/2017

MV:CM-MSA:SAR2:22/09/2017/2P/4C