



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

Friday, the Twenty Second day of September Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.12540 of 2017

P.NAGARAJAN

... PETITIONER/ACCUSED NO.1

Vs

STATE THROUGH
THE INSPECTOR OF POLICE
THANJAVUR SOUTH POLICE STATION,
THANJAVUR DISTRICT,
CRIME NO.237/2017

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.MALAIKANI Advocate

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

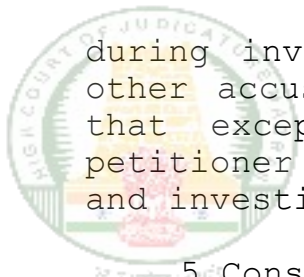
PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner / A1, who was arrested on 01.08.2017 for the offences punishable under Sections 380 and 302 of IPC @ Sections 120 (B), 380 and 302 of IPC in Crime No.237 of 2017 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that this case is a murder for gain case. The petitioner herein was working as a driver of the deceased and he is said to have attacked with aruvamanai on the head of the deceased and thereby caused her death. The petitioner has also taken away two sovereigns of gold chain, a sum of Rs.15,000/-, one cell phone and also car of the deceased.

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 the case of the petitioner is that only on the suspicion that the petitioner was acting driver of the deceased, the respondent Police have secured him on 31.07.2017 and recorded confession statement as if he committed the offence along with two other accused. He also submitted that in FIR, there was nothing about when the deceased died and he did not commit any offence as mentioned in FIR.



during investigation as per the confession of this petitioner, 2 other accused were implicated in this case. He further submitted that except cash amount other items were recovered from the petitioner and he was arrested and remanded to custody on 01.08.2017 and investigation is still pending.

5. Considering the facts and circumstances of the case and considering the fact that this case is a murder for gain case and the petitioner is said to have murdered the deceased with aruvamanai and has taken away the gold chain, a sum of Rs.15,000/- and a car which is belonging to the deceased, this Court is not inclined to grant bail to the petitioner at this stage. Accordingly, this petition is dismissed.

sd/-
22/09/2017

/ TRUE COPY /

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

GNS
TO

- 1 THE INSPECTOR OF POLICE,
THANJAVUR SOUTH POLICE STATION,
THANJAVUR DISTRICT,
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 3 THE SUPERINTENDENT
CENTRAL PRISON, TRICHY

+1. CC to M/S.S.MALAIKANI Advocate SR.No.31314

GJM/RR/BS/SAR-I-27.9.17-2P-5C

ORDER
IN
CRL OP(MD) No.12540 of 2017
Date :22/09/2017