



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.12573 of 2017

ARASAN PRABU @ PRABU

... PETITIONER/ACCUSED RANK NOT KNOWN

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
SOUTH POLICE STATION,
TUTICORIN,
TUTICORIN DISTRICT.
(CRIME NO.659 OF 2017)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.K.SANTHOSH PANDIAN Advocate

For Respondent : M/S.A.RAMAR, ADDITIONAL PUBLIC PROSECUTOR

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

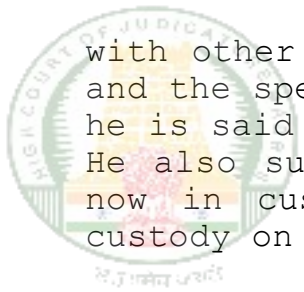
ORDER : The Court Made the following order :-

The petitioner / A4, who was arrested on 05.08.2017 for the offences punishable under Sections 294(b), 302, 506(ii), 120(B) and 109 of IPC in Crime No.659 of 2017 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the deceased loved the close relative of A1 and thereby the deceased refused to marry her. Because of that, A1 is said to have stabbed the deceased in the earlier occasion and thereafter, A1 and other accused were entered into the conspiracy for murdering the decease.

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 petitioner did not involve in the offence as alleged by the prosecution and initially this petitioner name was not found in the FIR, subsequently his name was implicated in this case. He also submitted that the petitioner was not committed any offence as mentioned in the FIR and he has no way connected with the alleged occurrence.

4.The learned Additional Public Prosecutor would submit on instructions that totally there are 3 named accused and as per the confession given by A1, petitioner is arrayed as A4. He further submitted that as per the confession of A1, the petitioner along



with other accused are said to have conspired to murder the deceased and the specific overt act attributed against the petitioner is that he is said to have informed the movements of the deceased to the A1. He also submitted that all the accused were arrested and they are now in custody and the petitioner was arrested and remanded to custody on 05.08.2017 and the investigation is still pending.

5. Considering the facts and circumstances of the case and considering the fact that the specific overt act attributed against the petitioner is that he is said to have informed the movements of the deceased to the A1 and the gravity of charges against the petitioner, 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.

TO

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

ORDER
IN
CRL OP(MD) No.12573 of 2017
Date : 22/09/2017

MS/RR-BS/SAR.2/28.09.2017/2P.4C