



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

Wednesday, the Fourth day of October Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP (MD) No.12792 of 2017

ANTHONY SELVA THATHEYUS

... PETITIONER / ACCUSED-2

Vs

State through

THE INSPECTOR OF POLICE

SOUTH POLICE STATION, THOOTHUKUDIO DISTRICT,

CR.NO.615/17

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.MOORTHY Advocate

For Respondent : Mr.K.Anbarasan, Govt. Advocate (Crl. Side)

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

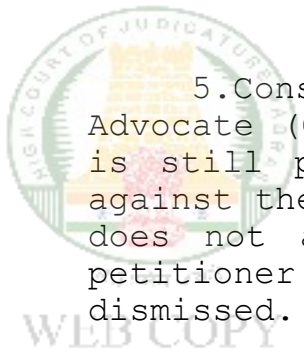
ORDER : The Court Made the following order :-

The petitioner/accused No.2, who was arrested and remanded to judicial custody on 14.08.2017, for the alleged offences punishable under Sections 302, 120(B), 294(b) of IPC., in Crime No.615 of 2017, on the file of the respondent police. Subsequently, the petitioner filed a bail application in Cr.M.P.No.2674 of 2017 before the Principal Sessions Court, Thoothukudi and the same was dismissed. This is the second bail application.

2.The case of the prosecution is that on 20.07.2017, the petitioner along with other accused conspired together and abused the deceased using filthy language and murdered the deceased by pelting stone.

3.The case of the petitioner is that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that there was group clash and the petitioner is only a driver and he is no way connected with the crime and his name was falsely implicated in this case.

4.Heard the learned Government Advocate (Crl.Side) appearing for the State submitted that there are totally four accused in this case and three of them was arrested and remanded to judicial custody and one is still absconding. The investigation is pending and prayed for dismissal of this petition.



5.Considering the submission made by the learned Government Advocate (Crl.Side) appearing for the State that the investigation is still pending and considering the gravity of offence levelled against the petitioner, at this stage, the question of granting bail does not arise. Hence, I am not inclined to grant bail to the petitioner and accordingly, this Criminal Original Petition is dismissed.

sd/-
04/10/2017

/ 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, THOOTHUKUDIO DISTRICT
- 2 THE SUPERINTENDENT
CENTRAL JAIL, PALAYAMKOTTAI
- 3 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

ORDER
IN
CRL OP(MD) No.12792 of 2017
Date :04/10/2017

SM:PN:SAR 2:9.10.2017:2P/4C