



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

Wednesday, the Eighth day of February Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.1301 of 2017

SIVASANKAR

... PETITIONER/ACCUSED (RANK NOT KNOWN)

Vs

STATE REP.BY ,
THE INSPECTOR OF POLICE
JEEYAPURAM POLICE STATION,
TRICHY DISTRICT
CRIME NO.344/2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.P.T.RAMESH RAJA Advocate

For Respondent : MR.P.KANDASAMY, Govt. Advocate (Crl. Side)

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

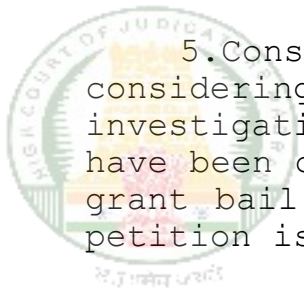
ORDER : The Court Made the following order :-

The petitioner, who was arrested on 12.11.2016 for the offences punishable under Sections 147, 148, 294(b), 307, 302 and 506(ii) IPC in Crime No.344 of 2016 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that due to previous enmity between A1 and the de facto complainant, A1 along with other accused attacked the brother of the de facto complainant and the de facto complainant and also his another brother namely Raja @ Annavi with deadly weapons and thereby committed the crime.

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 has never committed the said crime.

4.The learned Government Advocate(Crl. Side) submitted that as per FIR 7 accused were shown as accused and on investigation, totally 13 accused were arrayed as accused. A3, A7 and A8 were granted statutory bail by the concerned Judicial Magistrate and A1 is detained under Act 14 of 1982 and A2, A7 & A9 to A11 are in custody and the bail application in respect of A10 & A11 was dismissed by this Court and A5 is still absconding. He further submitted that it is a case of retaliation murder. He also submitted that the petitioner attacked the deceased Raja on his right elbow, which was severed and investigation is still pending since A5 is absconding.



5.Considering the facts and circumstances of the case and considering the fact that it is a case of retaliation murder and investigation is still pending and the gravity of offence said to have been committed by the petitioner, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original petition is dismissed.

sd/-

08/02/2017

WEB COPY

/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE
JEEYAPURAM POLICE STATION, TRICHY DISTRICT
 - 2 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
 - 3 THE SUPERINTENDENT, CENTRAL PRISON, TRICHIRAPPALLI.
- NBJ
CSL/CM-MSA/SAR-II/21.02.2017 : 2P/4C

ORDER

IN

CRL OP(MD) No.1301 of 2017

Date :08/02/2017