



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

Wednesday, the Twenty Fifth day of October Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.14282 of 2017

JOTHI MURUGAN

... PETITIONER / ACCUSED NO.2

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
AVIYUR POLICE STATION, KARIYAPATTI TALUK,
VIRUDHUNAGAR DISTRICT,
IN CRIME NO.177 OF 2017

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.K.RENGANATHAN Advocate

For Respondent : Mr.K.ANBARASAN Government Advocate (Crl. Side)

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

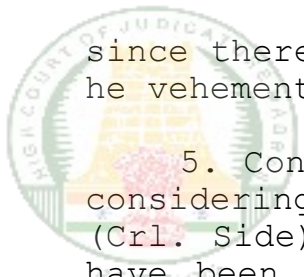
ORDER : The Court Made the following order :-

The petitioner/Accused No.2, who was arrested and remanded to judicial custody on 04.10.2017 for the alleged offences punishable under Sections 302, 201 and 202 of IPC., in Crime No.177 of 2017, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the marriage between the deceased and A1 was solemnized before 15 years. The petitioner is A2, who had illegal intimacy with A1/the wife of the deceased, joined together and attacked the deceased and murdered him. On complaint, case has been registered for the above said offences.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that initially the petitioner's name was not in the FIR and later his name was implicated and moreover, he was not in the scene of occurrence. He further submitted that it is purely a family dispute and hence, he prays for bail.

4. The learned Government Advocate (Criminal side) appearing for the respondent submitted that the petitioner had illegal intimacy with the wife of the deceased and now, the family members of the deceased will not be able to live without police protection



since there was threat against them from the accused persons. Hence, he vehemently objected to grant bail to the petitioner.

5. Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate (Crl. Side) and also considering the gravity of the offence said to have been committed by the petitioner and also the threat against the family members of the deceased, I am not inclined to grant bail to the petitioner and accordingly, this Criminal Original Petition is dismissed.

sd/-
25/10/2017

/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE
AVIYUR POLICE STATION, KARIYAPATTI TALUK,
VIRUDHUNAGAR DISTRICT,
- 2 THE OFFICER INCHARGE,
SUB JAIL, VIRUDHUNAGAR DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH Court, MADURAI.

ORDER
IN
CRL OP (MD) No.14282 of 2017
Date : 25/10/2017

MV:RR:SAR1:07/11/2017/2P/4C