



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

Wednesday, the Fifteenth day of November Two Thousand Seventeen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.15539 of 2017

YEESAK,

... PETITIONER/ACCUSED No.1

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
THILLAI NAGAR POLICE STATION,
TRICHY CITY.

(IN CRIME NO.620 OF 2017)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.A.RAHUL 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.1, who was arrested and remanded to judicial custody on 20.09.2017, by the respondent police for the offences punishable under Sections 294(b), 342, 323, 307 and 302 of I.P.C., in Crime No.620 of 2017, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on suspicion that the deceased had stolen a cellphone and purse from the petitioner and other accused, the petitioner and other accused came to the defacto complainant's house and attacked the deceased, who is defacto complainant's husband, in front of her and thereby, the deceased sustained fatal injuries. Even then, the deceased was taken to the petitioner's custody and was brutally attacked. Initially, the case was registered for the offence under Section 307 I.P.C., after the death of the defacto complainant's husband, the case was altered to Section 302 I.P.C.,

3.The learned counsel for the petitioner submitted that initially the case was registered for the offence under Section 307 I.P.C., and subsequently, the case was altered to Section 302 I.P.C. He further submitted that the petitioner is an innocent person and he did not commit any offence as alleged by the prosecution. In fact, the petitioner only interrogated about the stolen purse and cell phone.



4.The learned Government Advocate (Crl.side) appearing for the State reiterate the prosecution as above. He further submitted that the A1 and A4 are still in custody and the investigation is still pending.

5.Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate (Criminal Side) and also considering the gravity of offence committed by the petitioner, I am not inclined to grant bail to the petitioner. Accordingly, this bail petition is dismissed.

sd/-
15/11/2017

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

TO

- 1 THE INSPECTOR OF POLICE,
THILLAI NAGAR POLICE STATION, TRICHY CITY.
- 2 THE SUPERINTENDENT
CENTRAL PRISON, TRICHY
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

ORDER
IN
CRL OP(MD) No.15539 of 2017
Date :15/11/2017

SH/CM-VR/SAR-1/23.11.2017:2P/4c