



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

Friday, the Third day of March Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.2342 of 2017

1 BALAKRISHNAN
2 RANJITH

... PETITIONER/ACCUSED NO.1 & 3

Vs

STAT REP.BY
THE INSPECTOR OF POLICE,
VATTATHIKOTTAI POLICE STATION,
THANJAVUR DISTRICT.
CRIME NO.10/2017

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.R.MURUGAN Advocate

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

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

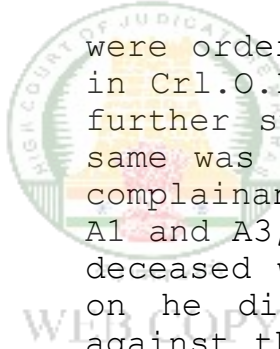
ORDER : The Court Made the following order :-

The petitioners, who were arrested and remanded to judicial custody on 17.01.2017, for the offences punishable under Sections 147, 148, 341, 324, 307 of IPC @ 302 of IPC., in Crime No.10 of 2017, on the file of the respondent police, seek bail.

2. The case of the prosecution is that A1 is having illicit intimacy with A2 and the same was questioned by the deceased, who is husband of the defacto complainant in this case and during the date of alleged occurrence, A1 and A3, who are the petitioners herein, attacked the deceased with wooden reaper on the head of the deceased and latter on he died in the hospital.

3. The learned counsel appearing for the petitioner states that the petitioner was arrested and they are in custody from 17.01.2017 onwards and the petitioners are innocent persons and they have been falsely implicated in this case due to previous enmity.

4. The learned Government Advocate (crl.side) appearing for the respondent states that there are totally six accused in this case and the petitioners herein are arrayed as A1 and A3, who are brothers. All the accused in this case were arrested and A4 and A6



were ordered to be released on bail by this Court, as per the order in Crl.O.P(MD)No.1207 and 1925 of 2017, dated 22.02.2017. He would further submit that A1 is having illicit intimacy with A2 and the same was questioned by the deceased, who is husband of the defacto complainant in this case and during the date of alleged occurrence, A1 and A3, who are the petitioners herein, said to have attacked the deceased with wooden reaper on the head of the deceased and latter on he died in the hospital. Earlier, the case was registered against the accused under Sections 147, 148, 341, 324, 307 of IPC., and thereafter, the said Sections were altered into including Section 302 of IPC.,

5. Considering the above facts and circumstances of the case and also the alleged overt act of the petitioner herein, attacking the deceased with wooden reaper and bamboo stick respectively on the head of the deceased, causing head injuries and thereafter, the deceased died in the hospital and also the fact that investigation is still pending and the gravity of offence, this Court is not inclined to grant bail to the petitioner, at this stage. Hence, this criminal Original Petition stands dismissed.

sd/-
03/03/2017

/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE,
VATTATHIKOTTAI POLICE STATION, THANJAVUR DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 3 THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.

MPK
CSL/PM-PN/SAR-III/08.03.2017 : 2P/4C

ORDER
IN
CRL OP(MD) No.2342 of 2017
Date :03/03/2017