



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

Thursday, the Twentieth day of July Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.9180 of 2017

1 MANI @ MANIKANDAN
2 VELMURUGAN
3 VENKATESH

... PETITIONER/ACCUSED NO.2,3,7

Vs

STATE REPRESENTED BY,
THE INSPECTOR OF POLICE
KEERAIDURAI POLICE STATION,
SIVAGANGAI DISTRICT.
CRIME NO.349/2017

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.J.VIJAYARAJA Advocate

For Respondent : MR.A.RAMAR, Additional Public Prosecutor

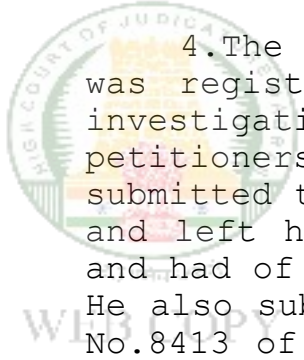
PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners / A2, A3 and A7, who were arrested on 13.05.2017 for the offences punishable under Sections 120(B), 147, 148, 341, 302 and 506(ii) of IPC in Crime No.349 of 2017 on the file of the respondent Police, seek bail.

2.The case of the prosecution is that the deceased and the sister of A1 loved each other and due to the same, a dispute arose between A1 and the deceased and hence, all the accused murdered the deceased by using deadly weapons. A2 and A3 are the brothers of A1.

3.The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. He would further submit that the deceased was a notorious criminal and he was having various criminal cases in Madurai City and due to the same, he has previous enmity with various persons, however, without arresting the real culprit, on suspicious manner, this case has been registered against the petitioners. He further submitted that co-accused was enlarged on bail by this Court in CrI.O.P.(MD)No.8413 of 2017 on 05.07.2017.



4.The learned Additional Public Prosecutor submitted that FIR was registered against 5 named and 8 unnamed accused and during investigation, 13 persons were arrayed as accused and the petitioners are arrayed as A2, A3 & A7 in this case. He also submitted that A2 attacked the deceased with sword on the face, head and left hand of the deceased, A3 attacked with sword on the face and had of the deceased and A7 prevented the deceased from escaping. He also submitted that the above said bail petition in CrI.O.P.(MD) No.8413 of 2017 was granted only based on the overt act attributed against the accused therein. He further submitted that investigation is pending and strongly opposed for granting bail the petitioner.

5.Considering the facts and circumstances of the case and considering the alleged overt act attributed against the petitioners and investigation is still pending, this Court is not inclined to grant bail to the petitioners. Accordingly, the Criminal Original petition is dismissed.

sd/-
20/07/2017

/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE
KEERAIDURAI POLICE STATION, SIVAGANGAI DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 3 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.

NBJ
CSL/CM-MSA/SAR-IV/27.07.2017 : 2P/4C

ORDER
IN
CRL OP (MD) No.9180 of 2017
Date :20/07/2017