



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

Monday, the Twelfth day of March Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP(MD) No.2850 of 2018

SURESH PANDI @ MADRAS SURESH

... PETITIONER / ACCUSED No.4

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
PUDUKKOTTAI TOWN POLICE STATION,
PUDUKKOTTAI DISTRICT .
SUNSEQUENTLY TRANSFERRED TO THE DEPUTY
SUPERINTENDENT OF POLICE,
CRIME BRANCH CID., TRICHY RANGE
TRICHY.
CR.NO.43 OF 2011

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.J.LAWRANCE Advocate

For Respondent : Mr.SUYAMBULINGA BHARATHI
Govt. Advocate (Crl. Side)

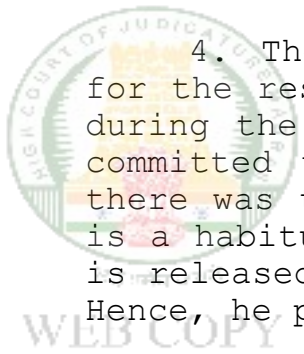
PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner/A4, who was arrested and remanded to judicial custody on 26.11.2011, for the offences punishable under Sections 324 and 302 of IPC., @ Sections 147, 148, 324 and 302 of IPC r/w.120 (B) of IPC., @ Section 324, 302 of IPC r/w 34 of IPC., in Crime No.43 of 2011, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that due to previous enmity, the petitioner and four other accused assaulted the defacto complainant and one Suba Muthukumar, who belongs to Naam Thamilar Katchi, near Anna Statute in Pudukkottai, by using Aruval, due to which they sustained severe injuries and the said Suba Muthukumar died on the spot. Hence, the case has been registered against the petitioner and other accused for the above said crime.

3. The learned counsel appearing for the petitioner submitted that the petitioner is a convicted prisoner and he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner has been falsely implicated in this case. Hence, he prays to enlarge the petitioner on bail.



4. The learned Government Advocate (Criminal Side) appearing for the respondent submitted that the petitioner is a life convict, during the time of Parole, the petitioner along with other accused committed the above said offence of murder. He further added that there was two previous cases pending against this petitioner and he is a habitual offender. He further submitted that if the petitioner is released on bail, he may again involve in these type of offences. Hence, he prays for dismissal of this bail application.

5. The submissions made by the learned counsels appearing for either side are considered. The petitioner already convicted for the offence of murder in Crime No.56 of 2001. In the said case, the learned District Judge, Sivagangai convicted the petitioner/A4 and imposed the maximum punishment of imprisonment of life. Now, during the time of Parole, due to previous enmity, the petitioner and other accused assaulted the deceased by using Aruval and committed the offence of murder. Moreover, after the disposal of the above said case, three cases have been registered against the petitioner for the offence of theft and other minor offences. Hence, considering the gravity of previous antecedents of the petitioner, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

sd/-

12/03/2018

/ TRUE COPY /

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

TO

1 THE INSPECTOR OF POLICE,
PUDUKKOTTAI TOWN POLICE STATION,
PUDUKOTTAI DISTRICT .
SUNSEQUENTLY TRANSFERRED TO THE DEPUTY
SUPERINTENDENT OF POLICE,
CRIME BRANCH CID., TRICHY RANGE
TRICHY.

2 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY

3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

+1. CC to M/S.J.LAWRANCE Advocate SR.No.3998

PJL

JAM/20/03/2018/ CSL-RR / SAR 4/ 2P-5C

ORDER

IN

CRL OP(MD) No.2850 of 2018

Date :12/03/2018