



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

Wednesday, the Tenth day of January Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP(MD) No.473 of 2018

GOVINDARAJ

... PETITIONER / SOLE ACCUSED

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
KENIKARAI POLICE STATION,
RAMANATHAPURAM DISTRICT.
IN CRIME NO. 546/2015

... RESPONDENT / COMPLAINANT

For Petitioner :M/S.M.VENKATESH Advocate

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

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

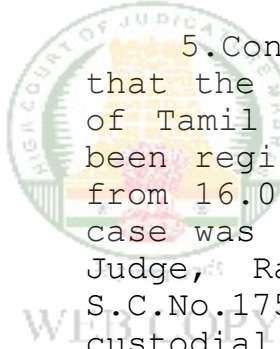
ORDER : The Court Made the following order :-

The petitioner / sole accused, who was arrested on 16.03.2016 for the offences punishable under Sections 302, 379 of I.P.C., and Section 4 of Tamil Nadu Women Harassment Act, in Crime No.546 of 2015, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 30.10.2015, the petitioner has murdered the deceased and snatching her ear studs. Hence, case has been registered by the respondent police as against the petitioner, he was arrested and remanded to judicial custody.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged.

4.The learned Government Advocate (Crl. Side) submitted that the petitioner is having three previous cases in Crime Nos.153 & 162 of 2013 in Uchapuli Police Station and Crime No.153 of 2014 is pending as Special S.C.No.29 of 2017 before the District Sessions Court, Ramnad, in which, 20 witnesses were examined. Out of three cases, the petitioner was acquitted in two cases. He further submitted that the present case was committed to the Court of Principal District and Sessions Judge, Ramanathapuram and the same is pending in Mahila Court, Ramnad as S.C.No.175 of 2017 and he vehemently opposed to grant bail to the petitioner.



5. Considering the submissions made on either side, it seems that the offences under Sections 302, 379 of I.P.C., and Section 4 of Tamil Nadu Women Harassment Act, in Crime No.546 of 2015, has been registered against the petitioner. He is in judicial custody from 16.03.2016 onwards. According to prosecution, as of now, the case was committed to the Court of Principal District and Sessions Judge, Ramanathapuram and pending in Mahila Court, Ramnad as S.C.No.175 of 2017. Now considering the stage of the case, custodial interrogation is not necessary. However, the petitioner is having three previous cases, in which, one case is registered for the offence under Section 392 I.P.C., So, considering the previous antecedents of the petitioner, this Court come to the conclusion that he is a habitual offender. Accordingly, if this type of petitioner is released on bail, he may try to tamper the witness and hamper the investigation. Hence, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original petition is dismissed.

sd/-
10/01/2018

/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE
KENIKARAI POLICE STATION, RAMANATHAPURAM DISTRICT.
- 2 THE OFFICER IN CHARGE,
SUB JAIL, RAMANATHAPURAM.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.473 of 2018
Date :10/01/2018

MKV-PM-PN-SAR 2/23.1.2018/2P-4C