



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

Wednesday, the Twenty Fourth day of January Two Thousand Eighteen

PRESENT

**The Hon`ble Mr.Justice R.PONGIAPPAN**

CRL OP(MD) No.966 of 2018

RAGU

... PETITIONER / 3<sup>rd</sup> ACCUSED

Vs

THE STATE REP.BY,  
THE INSPECTOR OF POLICE  
SIPCOT POLICE STATION, THOOTHUKUDI,  
(CRIME NO.301 OF 2016)

... RESPONDENT / COMPLAINANT

For Petitioner :M/S.D.VENKATESH Advocate

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

For Intervenor :MR.A.THIRUVADIKUMAR Advocate

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

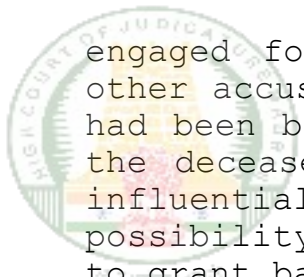
ORDER : The Court Made the following order :-

The petitioner/A3, who was arrested and remanded to judicial custody on 15.12.2016 for the offence punishable under Sections 302 & 201 I.P.C., in Crime No.301 of 2016, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 05.10.2016, one Kanagaraj was died in a suspicious circumstances in the Penthacostha Mission building. Subsequently, case has been altered for the offence punishable and Sections 302 and 201 I.P.C.

3.The learned counsel appearing for the petitioner submitted that based on the confession statement given by first accused, the petitioner herein has been implicated as A3 in this crime. He further submitted that due to the disciplinary action performed by the deceased against the first accused, the first accused got vengeance and planned to murder the deceased along with the help of his brother, namely, the second accused. He further submitted that the petitioner is an innocent person, he has not committed any offence as alleged by the prosecution. Hence, he prays for bail.

4.The learned counsel appearing for the Intervenor submitted that on 05.10.2016, the deceased, namely one Kanagaraj aged about 73 died in a suspicious circumstances in the Penthacostha Mission building. He further submitted that the A3, namely Ragu who had



engaged for the commission of murder of Pastor Kanagaraj by the other accused. A3 herein got specific overtact in the murder and he had been brought from Kanyakumari District to commit the murder of the deceased. He further submitted that the petitioner /A3 is an influential person, if he released on bail, there is every possibility of tampering the witnesses. Hence, he vehemently opposed to grant bail to his petitioner.

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5. The learned Government Advocate (Criminal side) submitted that there are totally four accused were involved in the occurrence. The petitioner herein is arrayed as A3. He is the main culprit in this case. Hence, he vehemently opposed to grant bail to the petitioner.

6. The submissions made by the learned counsels appearing for either side are considered. It is alleged that during the time of occurrence, the petitioner who is the friend of A2 was putting the pillow on the face of the deceased and committed this offence with the help of other three accused. The involvement of the petitioner came to the light after one year from the date of occurrence. So, considering the background of the petitioner and also considering the gravity of offence committed by the petitioner/A3, this Court came to the conclusion that if this type of petitioner is released on bail, he may be try to tamper the witness and hamper the investigation. Accordingly, the Criminal Original Petition is dismissed.

sd/-  
24/01/2018

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

TO

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

ORDER  
IN  
CRL OP (MD) No.966 of 2018  
Date :24/01/2018