



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :17.09.2018

CORAM:

THE HONOURABLE DR.JUSTICE **G.JAYACHANDRAN**
Crl.A(MD)Nos.416 and 418 of 2018

WEB COPY

Natarajan @ Nattu : Appellant/Accused No.12
in Crl.A.(MD).No.416/2018
Barotta Raja @ Raja : Appellant/Accused No.13
in Crl.A.(MD).No.418/2018

Vs.

Respondents in both Crl.As

State represented by

1.The Assistant Commissioner of Police,
Tirunelveli City,
Tirunelveli District. : 1st respondent/Investigating
Officer

2.The Inspector of Police,
Tirunelveli Medical College Hospital Police Station,
Tirunelveli.
(Cr.No.30/2018) : 2nd Respondent/Complainant

3.Kumar : 3rd Respondent/Defacto complainant

4.Geetha : 4th Respondent/Victim

PRAYER in Crl.A.(MD).No.416 of 2018: Criminal Appeal filed under Section 14A(1) SC/ST Amendment Act 2016, to call for the records pertaining to the order passed in Crl.M.P.No.2460 of 2018 in S.C.No.68 of 2018, on the file of the II Additional Sessions and District Judge, Tirunelveli (FAC), dated 20.08.2018 and set aside the same as illegal and enlarge the appellant on bail.

PRAYER in Crl.A.(MD).No.418 of 2018: Criminal Appeal filed under Section 14A(1) SC/ST Amendment Act 2016, to call for the records pertaining to the order passed in Crl.M.P.No.2461 of 2018 in S.C.No.68 of 2018 on the file of the II Additional Sessions and District Judge, Tirunelveli (FAC), dated 20.08.2018 and set aside the same as illegal and enlarge the appellant on bail.

For Appellants : Mr.K.Sivabalan

For R-1 and R-2: Mr.A.Robinson,

Government Advocate (Crl.Side).

**COMMON JUDGMENT**

These Criminal Appeals have been filed to set aside the orders passed in CrI.M.P.No.2460 and 2461 of 2018 in S.C.No.68 of 2018, on the file of the II Additional Sessions and District Judge, Tirunelveli (FAC), dated 20.08.2018 and enlarge the appellants on bail.

2.Heard the learned counsel for the appellants and the learned Government Advocate (CrI.Side).

3.It is a case of hired killing, wherein, the son-in-law of the defacto complainant was killed by a gang organised by A-3 on the behest of A-1 and A-2. The appellants herein are the henchmen of A-3.

4.Though the learned counsel for the appellants submitted that they have no role in the crime and the allegation against them is only harbouring the accused persons, after the commission of crime, the learned Government Advocate (CrI.Side) submitted that they were part of the hire-ling and participated in the conspiracy to commit the crime. He also had given the list of cases against these appellants to show that they are notorious criminals and involved in several crimes of which one of the case is for 'attempt to murder' against the appellant in CrI.A.No.418 of 2018 and 'murder' as against the appellant in CrI.A.No.416 of 2018.

5.In the said circumstances, this Court is not inclined to grant bail. Hence, these criminal appeals are dismissed.

Sd/-

Assistant Registrar (CrI Side)

// True Copy //

Sub Assistant Registrar(CS-I)

To

1.The II Additional Sessions and District Judge,
Tirunelveli (FAC)

2.The Assistant Commissioner of Police,
Tirunelveli City,
Tirunelveli District.



3. The Inspector of Police,
Tirunelveli Medical College Hospital Police Station,
Tirunelveli.

4. The Superintendent, Central Prison, Palayamkottai,
Tirunelveli.

5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC To MR.K.SIVABALAN, Advocate SR. NO. 85321

COMMON JUDGMENT MADE IN
Crl.A(MD)Nos.416 and 418 of 2018
17.09.2018

VS
TR/RP/SAR-I (10.10.2018) 3P 7C