

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 21.07.2020

CORAM :

THE HON'BLE Mr. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.10792 of 2020

Lakshmanan
S/o. Sivagnanam,
Avarangadu, Thirupachethi,
Manamadurai Taluk,
Sivagangai District.

... Petitioner

- Vs. -

State:

The Inspector of Police,
Singanallur Police Station,
Coimbatore.

(Cr.No.910/2018)

... Respondent

Prayer: Criminal Original Petition is filed under Section 439 of Criminal Procedure Code, to enlarge the petitioner on bail in Crime No.910 of 2020 on the file of the respondent police.

For Petitioner : Mr.E.Soundarrajan

For Respondent : Mr.T.Shanmugarajeswaran,
Government Advocate (Crl. Side)

O R D E R

(The case has been heard through video conference)

The case of the prosecution is that the petitioner along with other accused joined together and assaulted the deceased namely Mohan and caused serious injuries to him, due to the said injuries the deceased died. Thereafter, the accused have disposed the body in an abandoned place. Originally, the case was registered under Section 174 Cr.P.C and later altered into 147, 148 and 302 of Indian Penal Code r/w 201 of IPC.

2. The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case. He would submit that the incident stated to have happened on 11.08.2018 and that the petitioner was formally arrested on 21.06.2019. He would further submit that the petitioner is in custody for more than 2 years.

3. The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the petitioner is a notorious rowdy element, involved in several cases in following Crime

S.No.	Crime No. & P.S.	Offences
1.	Cr.No.248/2011 Manamadurai P.S	302 of IPC
2.	Cr.No.247/2011 Manamadurai P.S.	392 of IPC
3.	Cr.No.102/2013 Manamadurai P.S	302 of IPC
4.	Cr.No.222/2018 Manamadurai P.S	392 of IPC
5.	Cr.No.149/2019 Manamadurai P.S	457 & 380 of IPC
6.	Cr.No.440/2018 R.S.Puram P.S, Coimbatore	452, 395 & 397 of IPC
7.	Cr.No.499/2018 R.S.Puram P.S, Coimbatore	307 & 506(ii) of IPC
8.	Cr.No.348/2015 Kovilpatty P.S	449, 397 of IPC
9.	Cr.No.673/2012 Melur P.S.	397 of IPC
10.	Cr.No.498/2016 Melur P.S.	397 of IPC

He would submit that the petitioner was engaged as a hireling by the other accused and he has come all the way from Manamadurai to commit the murder at Coimbatore and after murder, he had disposed the body in the drainage and the body was recovered after sometime. During the course of investigation, the role of the petitioner came to light. He would submit that absconding charge sheet was filed against the petitioner and with very great difficulty, the formal arrest of the petitioner was made on 21.06.2019 when he was in custody in respect of other cases. He would submit that the matter is pending committal in PRC.No.136 of 2019 on the file of the learned Judicial Magistrate-III, Coimbatore. He would further submit that at this stage, if bail is granted to the petitioner, there is a chance of him for absconding and thereby, delaying the committal process and hence, he vehemently opposed to grant bail to this petitioner.

4. Taking into consideration the submission made by either side and that the petitioner has got several cases to his credit, this Court is not inclined to grant bail to the petitioner at this stage.

5. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
21/07/2020

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 STATE
THE INSPECTOR OF POLICE, SINGANAILLUR POLICE
STATION, COIMBATORE, (CR.NO.910/2018).

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE

4 THE JUDICIAL MAGISTRATE,
NO.III, COIMBATORE

CC to M/S. E.SOUNDARRAJAN Advocate on payment of necessary
charges

WEB COPY

CRL OP.10792/2020

Date :21/07/2020