

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 31.07.2020

CORAM :

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

Crl.O.P.No.11612 of 2020

Kumar

... Petitioner

Vs.

State Rep. by the Inspector of Police,
Krishnagiri Taluk Police Station
Krishnagiri District
(Crime No. 581 of 2020)

... Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Criminal Procedure Code to enlarge the petitioner on bail in Crime No.581 of 2020, pending investigation on the file of the respondent.

For Petitioner : Mr.E.Kannadasan

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

O R D E R

(The case has been heard through video conference)

The petitioner, who was arrested and remanded to judicial custody on 04.07.2020 for the offences punishable under Section 294(b), 302 IPC subsequently altered into 204(b), 302 of IPC in Crime No.581 of 2020, seeks bail.

2. The case of the prosecution as per the defacto complainant Muthazhagu is that, on 01.07.2020 at about 6.00 p.m. during a quarrel, the petitioner assaulted the victim Venkateshwaran with a broken bottle resulting him sustaining injuries. Immediately, the victim was taken to hospital and originally the case was registered under Sections 294(b) and 307 IPC. After two days, the victim died following which, the case was altered to one under Sections 294(b) and 302 IPC.

3. The learned Counsel for the petitioner would submit that it is a case and case in counter and the incident had happened during a quarrel in front of a TASMACH shop and on the complaint given by the petitioner, counter case in Crime No.582 of 2020 was registered against the deceased for offence under Sections 294(b), 324 and 506 (ii) IPC. He would further submit that the petitioner has been in judicial custody from 04.07.2020. Hence, he prays for grant of bail

4.The learned Government Advocate (Criminal Side) would vehemently oppose stating that it is a case of murder and the petitioner was arrested very recently on 04.07.2020 and the investigation is in a preliminary stage.

5.In the light of the above submission made by the learned Government Advocate (Crl. Side), this court is not inclined to grant bail to the petitioner.

6.This Criminal Original Petition stands dismissed accordingly.

-sd/-

31/07/2020

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 THE OFFICER INCHARGE
SUB JAIL, HOSUR.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
KRISHNAGIRI TALUK POLICE STATION,
KRISHNAGIRI DISTRICT.

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

WEB COPY

CRL OP.11612/2020

Date :31/07/2020

cs 02/09/2020