

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 14.08.2020

CORAM :

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

Crl.O.P.No.12092 of 2020

Dinesh

... Petitioner

Vs.

State, rep. by
The Inspector of Police
NAMAKKAL Police Station
Namakkal District.
(Crime No.787 of 2020)

.... Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Criminal Procedure Code to enlarge the petitioners on bail in Crime No.787 of 2020 pending investigation on the file of the Respondent Police.

For Petitioner : Mr.W.Camyles Gandhi

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

ORDER

(The case has been heard through video conference)

The petitioner, who was arrested and remanded to judicial custody on 08.06.2020 for the offences punishable under Section 302 & 201 IPC, in Crime No.787 of 2020, seeks bail.

2. The case of the prosecution as per the defacto complainant Tamilarasi, VAO is that on 07.06.2020, the petitioner appeared before her and confessed that due to money dispute, he had committed the murder of the deceased Naresh Kumar on 04.06.2020 and buried the body in his house with the help of his friends Ajithkumar, Madhanraj and Vadivel.

3.The learned counsel appearing for the petitioner would submit that due to money dispute, there was a quarrel between them and due to sudden provocation, the petitioner had committed the murder. He would further submit that the petitioner was arrested on 08.06.2020 and he is in custody for more than 65 days. He would further submit that the co-accused in this case have been granted bail by this Court vide order dated 30.07.2020 in Crl.O.P.No.10703 of 2020.

4.The learned Government Advocate (Crl. Side) would submit that the petitioner is the main accused, who had lent Rs.20 lakhs to the deceased. Since the same was not repaid, he instigated the other accused to bring the deceased to his house he was kept in his custody for two days and later the petitioner had stabbed him and committed the murder of the deceased and buried the body in his own house with the help other accused. Based on the extra judicial confession of the accused the body was exhumed and the mother of the deceased has stated that she has lastly seen her son along with A2, who was working under this petitioner.

5.Taking into consideration of the submissions of the learned Government Advocate (Crl. Side) and also considering the heinous offence committed by the petitioner, this Court is not inclined to grant bail to the petitioner.

6.Accordingly, this Criminal Original Petition stands dismissed.

-sd/-

14/08/2020

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 INSPECTOR OF POLICE,
NAMAKKAL POLICE STATION,
NAMAKKAL DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE SUPERINTENDENT,
CENTRAL PRISON, SALEM.

CC to M/S.W.CAMYLES GANDHI Advocate on payment of necessary charges

CRL OP.12092/2020

Date :14/08/2020

TA-15/09/2020