

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 21.09.2020

CORAM :

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

CRL.O.P.No.14647 of 2020

1.Agilan
S/o.Annadurai.

2.Jegadeshwaran
S/o.Vasudevan Raji Naidu ... Petitioners

Vs.

State rep. by
Inspector of Police,
Krishnagiri Taluk Police Station,
Krishnagiri District.
(CrimeNo.665 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.665 of 2020 on the file of the above respondent police.

For Petitioner : Mr.M.P.Saravanan

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 04.08.2020 for the offences punishable under Sections 302, 120(B), 109, 34 of IPC, in Crime No.665 of 2020, on the file of the respondent police, seeks bail.

2.The case of the prosecution as per the defacto complainant Vikram who is the friend of the deceased Pown Raj is that on 02.08.2020, due to previous enmity, the petitioner along with other accused murdered the deceased Pown Raj. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. Even as per the prosecution, the deceased is said to have outraged the modesty of the mother of one Tendulkar, who is arrayed as an accused in this case and the petitioner has been falsely implicated in

this case. He would submit that the petitioner has been suffering incarceration from 04.08.2020. Hence, he prays for grant of bail.

4.The learned Government Advocate (Crl. Side) appearing for the respondent police would vehemently oppose stating that the petitioner along with other accused committed murder of one Pown Raj. He would further submit that two Advocates are the eye witnesses to the said occurrence and they have also given their statement before the learned Magistrate under Section 164 Cr.P.C. He would further submit that the petitioner is a History Sheeted rowdy in H.S.No.9 of 2010 and there are two previous cases pending against him and that the investigation is at the crucial stage. He would further submit that the bail application filed by the co-accused in this case has been dismissed by this Court in Crl.O.P.No.14209 of 2020 vide 14.09.2020.

5.Taking into consideration the nature of offence and the fact that the petitioner is a history sheeter rowdy and that he has been arrested very recently on 04.08.2020 and that the investigation is at crucial stage, this Court is not inclined to grant bail to the petitioner.

6.This Criminal Original Petition stands dismissed for the present accordingly.

-sd/-

21/09/2020

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 PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

2 THE OFFICER INCHARGE
SUB-JAIL, HOSUR

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

CC to M/S M.P.SARAVANAN Advocate on payment of necessary charges

CRL OP.14647/2020

Date :21/09/2020

RD 28/09/2020