

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 16.10.2020

CORAM :

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

CRL.O.P.No.16501 of 2020

Praveen Kumar

... Petitioner

Vs.

State By

Inspector of Police,
Vanapuram Police Station,
Thiruvannamalai District.
(Crime No.2766/2020)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Criminal Procedure Code to enlarge the petitioner on bail in Crime No.2766 of 2020 on the file of Inspector of Police, Vanapuram Police Station, Thiruvannamalai District.

For Petitioner : Mr.S.Silambuselvan

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

O R D E R

(The cases have been heard through video conference)

The petitioner, who was arrested and remanded to judicial custody on 17.09.2020 for the offences punishable under Section 302, 392, 397 of IPC, in Crime No.2766 of 2020 on the file of the respondent police, seeks bail.

2.The case of the prosecution as per the defacto complainant viz. Balakrishnan is that his father and mother were living separately in a hut and on 16.09.2020 the defacto complainant was informed that his father was unconscious with injuries and his mother was found with bleeding injuries in her nose and ears and when the defacto complainant reached the spot, he was informed that three named persons, who are residents of the same village had entered into the house of his parents on 15.09.2020 at night hours and assaulted his father and mother and robbed an amount of Rs.2,500/- and also robbed the gold nose stud of his mother, his father and mother were taken to the hospital and his father died not responding to the treatment.

3.The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case since he happened to be the friend of the other accused. He would further submit that the petitioner was arrested on 17.09.2020 and he is in custody for the past one month.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would vehemently oppose stating that it is a case of murder for gain. The petitioner along with other accused entered into the house of the defacto complainant's parents and assaulted them and also robbed a sum of Rs.2,500/- and gold nose stud from the mother of the defacto complainant. Due to the injury suffered, the father of the defacto complainant died. He would further submit it is a murder for gain and the petitioner was arrested very recently on 17.09.2020 and the investigation is in initial stage.

5.Taking into consideration of the facts and submissions made by the learned Government Advocate (Crl. Side), and also considering the fact it is a murder for gain and that the petitioner was arrested very recently on 17.09.2020 and the investigation is in initial stage, this Court is not inclined to grant bail to the petitioner.

7.This Criminal Original Petition stands dismissed accordingly.

-sd/-
16/10/2020

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 SUPERINTENDENT,
CENTRAL PRISON, VELLORE.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
VANAPURAM POLICE STATION,
THIRUVANNAMALAI DISTRICT.

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

CRL OP.16501/2020

Date :16/10/2020

MK:28/10/2020



WEB COPY