

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 06.11.2020

CORAM :

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

CRL.O.P.No.17422 of 2020

Anantharaj

... Petitioner

Vs.

States rep.by:-

The Inspector of Police,
Kolacombai Police Station,
The Nilgiri District.
(Crime No.420 of 2020)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Criminal Procedure Code to enlarge the petitioner on bail in Crime No.420 of 2020 pending investigation on the file of the respondent police.

For Petitioner : Mr.K.Thilageswaran

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 05.10.2020 for the offences punishable under Sections 302 of IPC, in Crime No.420 of 2020 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner suspected that the deceased was having illicit intimacy with his wife, due to which, he assaulted the deceased and stamped on his stomach and dragged him. Later the victim was taken to the hospital and succumbed to injuries in the hospital.

3.The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that the incident had happened during the quarrel. He would further submit that the deceased died on the next day while he was under treatment and only due to previous enmity, a false complaint has been given against him.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would vehemently oppose stating that very recently the incident had taken place. He would further submit that the petitioner suspected that the victim had illicit intimacy with his wife, due to which he assaulted the victim and stamped on his stomach and also dragged him. The victim succumbed to injury later due to stomach ache. He would further submit that the petitioner was arrested very recently on 05.10.2020 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 heinous offence committed by the petitioner and his arrest was very recent and the investigation is in initial stage, this Court is not inclined to grant bail to the petitioner.

6.This Criminal Original Petition stands dismissed accordingly.

-sd/-

06/11/2020

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, COIMBATORE.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
KOLACOMBAI POLICE STATION,
THE NILGIRI DISTRICT.

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

CRL OP.17422/2020

Date :06/11/2020

MK:23/11/2020