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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 13/05/2020

PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL OP(MD) . Nos.5309 and 5310 of 2020

1. R.Jeyaprabhu,
2. V.Madhan,

... Petitioners/Accused Nos. 1 & 2
in Crl.O.P(MD) No.5309 of 2020

S.Chokkar,

... Petitioner/Accused No.8
in Crl.O.P(MD) No.5310 of 2020

Vs

State rep.by its
The Inspector of Police,
Uthamapalayam Police Station,
Theni District,
(Crime No.147 of 2020).

... Respondent/Complainant
in both petitions

In both petitions

For Petitioners : M/s.S.Muthukumar,
Advocate.

For Respondent : Mr.S.Chandrasekar,
Additional Public Prosecutor

PETITIONS FOR BAIL AND ANTICIPATORY BAIL Under Sections.439 and
438 of Cr.P.C.

PRAYER in Crl.O.P(MD) No.5309 of 2020 :-

For Bail in Crime No.147 of 2020 on the file of the
Respondent Police.

PRAYER in Crl.O.P(MD) No.5310 of 2020 :-

For Anticipatory Bail in Crime No. 147 of 2020 on the file of
the Respondent Police.



COMMON ORDER : The Court made the following order :-

The petition in Crl.O.P(MD) No. 5309 of 2020 has been filed by the petitioners/ accused seeking bail for the alleged offence punishable under Sections 147,148,149,302,120(B),109 of IPC.

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The petition in Crl.O.P(MD) No. 5310 of 2020 has been filed by the petitioner/accused apprehending arrest at the hands of the respondent police for the offences punishable under sections 147, 148, 149, 302, 120(B),109 of IPC.

3. Due to land dispute the petitioners have conspired together to eliminate the brother of the defacto complainant and as a consequence on 06.03.2020 the petitioners and others have engaged assailants for travel in a red colour vehicle, intercepted the deceased and murdered him with deadly weapons. The defacto complainant who was following his brother as a witness to the occurrence and has set the criminal law into motion.

4. The learned counsel for the petitioner would submit that CCTV footage does not show the image of the petitioners.

5. These things are the matter for investigation. Due to lock down the police is unable to proceed with the investigation. Hence, the learned Additional Public Prosecutor seeks dismissal of the petitions, so that investigation can be done with out any tampering by the present accused persons.

6. This Court holds that it is not appropriate time for granting bail and anticipatory bail to the petitioners.

7. Hence, these petitions stands dismissed.

sd/-
13/05/2020

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/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE INSPECTOR OF POLICE,
UTHAMAPALAYAM POLICE STATION,
THENI DISTRICT.

2. THE OFFICER INCHARGE,
DISTRICT PRISON, THENI.



3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

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ORDER

IN

CRL OP(MD) Nos.5309 and 5310 of 2020

Date :13/05/2020

AAV

MS/PN/SAR-III (14.05.2020) 3P 4C