



WEB COPY

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

Date : 14/10/2020

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD). No.11300 of 2020

Ramasamy @ Chinna Ramasamy ... Petitioner/Sole Accused

Vs

State Rep. by
The Inspector of Police,
Irukkankudi Police Station,
Virudhunagar District.
(Cr. No.297/2020).

... Respondent/Complainant

For Petitioner : M/s.P.Saravanakumar,
Advocate.

For Respondent : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For Bail in Crime No.297 of 2020 on the file of the Respondent Police

ORDER : The Court made the following order :-

The petitioner/sole accsused, who was arrested and remanded to judicial custody on 28.07.2020 for the offences punishable under Sections 307 @302,308,304(2) of IPC on the file of the respondent police seeks bail.

2. The case of the prosecution is that there was a dispute between the deceased and one Ramar and on the date of occurrence the deceased advised him. While being so, after consuming alcohol the petitioner herein attacked the deceased with iron rod on 27.07.2020, due to which he sustained injuries, admitted in the hospital and he succumbed to injuries on 10.08.2020. Initially the case was registered under Section 307 of IPC and later it has been @ sections 302,308,304(2) of IPC.



3. The learned counsel for the petitioner would submit that the petitioner and the deceased are close relatives and due to wordy quarrel between them in respect of previous enmity the petitioner attacked him with iron rod, thereby he sustained injuries in his head. He further submitted that immediately he was taken to hospital, where he has stated that one known person had attacked the deceased. He further submitted that the petitioner was arrested on 28.07.2020 and he is still in custody, hence he may be granted bail.

4. The learned Government Advocate(Crl.Side) submitted that the petitioner is having eight previous cases of similar nature and in two cases he was convicted. When the deceased went to pacify the issue between him and one Ramar the petitioner attacked the deceased with iron rod on his head. Therefore he sustained injuries and subsequently died on 10.08.2020.

5. It is seen that the petitioner is a sole accused. Though the petitioner and the deceased are close relatives when the deceased went to pacify the issue him and one Ramar the petitioner had attacked with iron rod and he sustained injuries on his head. Immediately he was taken to hospital and there on 10.08.2020 he succumbed to injuries.

6. Taking into consideration all the facts and circumstances of the case and taking into consideration the previous bad antecedent of the petitioner, this Court is not inclined to grant bail to the petitioner.

7. Hence this petition stands dismissed.

sd/-
14/10/2020

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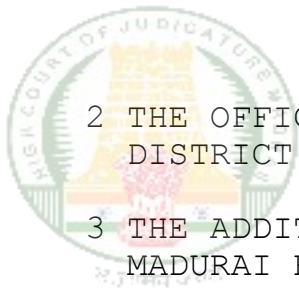
/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1 THE INSPECTOR OF POLICE,
IRUKKANKUDI POLICE STATION,
IRUKKANKUDI POLICE DISTRICT.

<https://hcservices.mca.gov.in>



2 THE OFFICER INCHARGE,
DISTRICT PRISON, VIRUDHUNAGAR.

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

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ORDER

IN

CRL OP(MD) No.11300 of 2020

Date :14/10/2020

aav

JM/VR/SAR III/16.10.2020/3P/4C