



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

Date : 10/11/2020

WEB COPY

PRESENT

The Hon'ble Mr.Justice S.M.SUBRAMANIAM

CRL OP (MD) Nos.12609 and 12613 of 2020

V.C.Raja

... Petitioner/Accused No.1
(in CRL OP (MD) No.12609/2020)

1 Thalaimani

2 Robin Samuel @ Robin @ Kool

3 Vinoth Kumar @ Vinoth Kannan @ Idly

... Petitioners/
Accused No.2 to 4
(in CRL OP (MD) No.12613/2020)

Vs

The State rep. by
The Inspector of Police,
Thiruthangal Police Station,
Virudhunagar District.
Crime No. 1111 of 2020.

... Respondent/Complainant
(in both the petitions)

(in both Crl.O.Ps.)

For Petitioners: M/s.S.M.Anantha Murugan,
Advocate.

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

PETITIONS FOR BAIL Under Section 439 of Cr.P.C.

COMMON PRAYER :-

For Bail in Crime No.1111 of 2020 on the file of the respondent police.

COMMON ORDER :The Court made the following order :-

Heard the learned counsel appearing for the petitioners and the learned Government Advocate(Criminal Side) appearing for the respondent.

2. The petitioners are arrayed as A1 to A4 They was/were arrested and remanded to Judicial Custody on 06.09.2020 and 07.09.2020



respectively for the offence punishable under sections 147, 148, 120(b), 366, 342 and 302 of I.P.C., in Crime No.1111 of 2020 on the file of the respondent police. They seek bail.

3. The petitions state about the disputed facts and circumstances regarding a civil dispute which was prevailing between the accused persons and the deceased. It is alleged that there was an illicit relationship with one Ramathilagam and the deceased. Such complex and disputed facts and circumstances as narrated in the present bail petitions deserve no merit adjudication and all such contentions are to be adjudicated by way of full-fledged trial and for grant of bail. This Court has to *prima facie* find out whether there is a material on record to prosecute the accused persons or not.

4. The learned Government Advocate (Criminal side) made a submission that sixth accused is the lady and implicated subsequently after obtaining confession statement. The sixth accused alone was released on bail on the ground that she is a lady. However, the said benefit cannot be extended to all other accused in view of the fact that over tacts against the other accused are established during the course of investigation and in the event of releasing all other accused, the investigation would get tampered. The first accused brought the deceased to a particular spot and the accused 3, 4 and 5 together brutally attacked the deceased who died incidentally on the spot.

5. This Court is of the considered opinion that the accused persons A1 to A5 were arrested and are in judicial custody. The investigations are in progress. Thus, it is not preferable to consider the bail petitions at this point of time. The respondent Police is directed to intensify the investigation and complete the same as expeditiously as possible and file charge sheet. However, bail cannot be granted at this juncture. These bail petitions stand dismissed.

sd/-

10/11/2020

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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 OFFICER INCHARGE,
DISTRICT JAIL,
RAMANATHAPURAM.
2. THE INSPECTOR OF POLICE,
THIRUTHANGAL POLICE STATION,
VIRUDHUNAGAR DISTRICT.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP (MD) No. 12609&12613/2020

Date : 10/11/2020

RMI/IAS

SRS/JC/SAR-IV/19.11.2020/3P/4C