



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

Date : 30/12/2020

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.14772 of 2020

Asar @ Mohammed Asartheen ... Petitioner/Accused Nos.10

Vs

State rep.by
The Inspector of Police,
Kenikarai Police Station,
Ramanathapuram District.
In Crime No. 549 of 2020. ... Respondent/Complainant

For Petitioner : M/s.C.Susi Kumar,
Advocate.

For Respondent : Mr.R.Erottuchamy,
Government Advocate (Crl.Side)

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

PRAYER :-For Bail in Crime No.549 of 2020 on the file of the
Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A10, who was arrested and remanded to judicial custody on 04.11.2020 for the offences punishable under Sections 147,148,294(b),302, 307, 323,324,506(ii) of IPC @ 147,148,294(b), 302, 307, 323, 324,342 and 506(ii) of IPC on the file of the respondent police seeks bail.

2.The case of the prosecution is that due to some dispute between two groups on the date of occurrence all the accused persons unlawfully assembled together with deadly weapons, attacked the deceased and caused his death. Hence the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would also submit that the petitioner only caught hold of the deceased and except this no other allegation has been levelled as against the petitioner. He would also submit that the petitioner is in jail for more than 50 days, hence he may be granted bail



4. The learned Government Advocate(Crl.Side) would submit that there are totally twelve accused in this case and the petitioner herein is arrayed as A10. Due to some dispute between two groups on the date of occurrence all the accused persons unlawfully assembled together with deadly weapons, attacked the deceased and caused his death. There are specific allegations against the petitioner and one previous case is also pending against him. Investigation is also pending.

5. Taking into consideration the facts and circumstances of the case and also taking note of the fact that is a case of group clash between two parties and also the fact that the petitioner is involved in one previous case under Section 307 of IPC and if the petitioner is released on bail, he may tamper the witnesses and hamper the investigation, hence, this Court is not inclined to grant bail to the petitioner.

6. In the result, the petition stands dismissed.

sd/-

30/12/2020

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/ /2021

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, SUB JAIL, RAMANATHAPURAM.
- 2.THE INSPECTOR OF POLICE,
KENIKARAI POLICE STATION, RAMANATHAPURAM DISTRICT.
- 3.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.14772 of 2020

Date :30/12/2020

aav/sji

AE/KV/SAR-II (04/01/2021) 2P / 4C