



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 23/12/2020

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PRESENT

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

CRL OP(MD). No.15673 of 2020

Navaraj

... Petitioner/Accused No.6

Vs

State Rep. by  
The Inspector of Police,  
Adiramapattinam Police Station,  
Thanjavur District.  
(Crime No.1376/2020).

... Respondent/Complainant

For Petitioner : M/s.Jameel Arasu.B,  
Advocate.

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

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

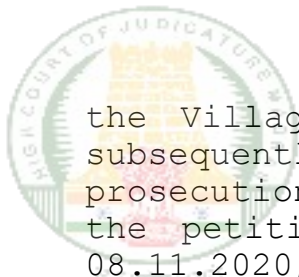
PRAYER :- For Bail in Crime No.1376/2020 on the file of the  
Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A6, who was arrested and remanded to judicial custody on 08.11.2020 for the offences punishable under Sections 147,148,302,379,404,149 and 120(B) of IPC on the file of the respondent police seeks bail.

2.The case of the prosecution is that the mother of the first accused is having illegal intimacy with the deceased and when it was questioned by the brother of the first accused he was murdered by this own mother in a suspicious manner. Due to which there was previous enmity and as such A1 along with his friends and other accused have murdered the deceased and thereafter they cut his hand and had taken to the burial ground where the brother of the first accused was buried.

3.The learned counsel for the petitioner would submit that the petitioner herein is arrayed as A6 and he happen to be the friend of A1, he has been falsely implicated in this case. There is no eye witness to the said occurrence and only on the complaint lodged by



the Village Administrative Officer the case was registered and subsequently implicated in this crime. Even according to the case of prosecution no specific overt act has been attributed as against the petitioner and he has been remanded to judicial custody on 08.11.2020, hence he seeks bail.

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4. The learned Government Advocate(Crl.Side) would submit that there are totally 12 accused in this case and the petitioner herein is arrayed as A6. The first accused had motive to murder the deceased for the reason that already his brother was murdered by the deceased and his own mother. When he questioned about the illegal intimacy there was motive due to which the first accused along with his friends planned to murder the deceased and accordingly they attacked the deceased with deadly weapons and thereafter they cut the hand and put it into the burial ground of the brother of the first accused and he had specific overt act. Though complaint was lodged by the Village Administrative Officer after investigation and also the confession of the co-accused the petitioner has been implicated in this case. Hence he opposed to grant bail to the petitioner.

5. It is seen that there are totally 12 accused in this case and the petitioner herein is arrayed as A6. The first accused and the petitioner are close friends. The mother of the first accused is having illegal intimacy with the deceased and when it was questioned by the brother of the first accused he was murdered by this own mother in a suspicious manner. Due to which there was previous enmity and as such A1 along with his friends and other accused have murdered the deceased and thereafter they cut his hand and had taken to the burial ground where the brother of the first accused was buried. Therefore the petitioner has committed a cruel murder and the petitioner was arrested only on 08.11.2020 and the investigation is still pending, hence this Court is not inclined to grant bail to the petitioner.

6. In the result, the petition stands dismissed.

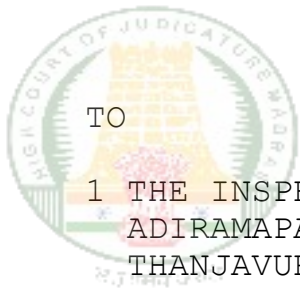
sd/-  
23/12/2020

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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



TO

1 THE INSPECTOR OF POLICE,  
ADIRAMAPATTINAM POLICE STATION,  
THANJAVUR DISTRICT.

2 THE SUPERINTENDENT,  
CENTRAL PRISON, TRICHY.

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

ORDER

IN

CRL OP(MD) No.15673 of 2020

Date :23/12/2020

AAV

JM/PN/SAR II/30.12.2020/3P/4C