

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Nineteenth day of March Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice V. BHARATHIDASAN

CRIMINAL ORIGINAL PETITION No.5491 of 2021

S.RAGHUPATHI

[PETITIONER / ACCUSED]

Vs

THE STATE REP.BY ITS
INSPECTOR OF POLICE,
KADATHUR POLICE STATION,
DHARMAPURI.
CR.NO.34 OF 2021.

[RESPONDENT]

For Petitioner : M/S.A.ILAYAPERUMAL Advocate

For Respondent : M.PRABHAVATHI Addl. Public Prosecutor

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

(The case has been heard through video conference)

The Petitioner, who was arrested and remanded to judicial custody on 19.01.2021 for the offence punishable under Sections 364 and 302 IPC in Crime No.34 of 2021, seeks bail.

2. Totally, there are 4 accused and the petitioner is arrayed as A3. The case of the prosecution is that the deceased in this case, namely, Logidoss @ Muniyappan, was engaged in selling sugarcane business. On the date of occurrence, A1 has driven the car, in a rash and negligent manner, and hit the deceased, in which, other accused were also travelling. The same was questioned by the deceased. Hence, all of them abducted the deceased and attacked him indiscriminately and left him. After coming to know about the same, the defacto complainant, who is the wife of the deceased went to the scene of occurrence, where, she found her husband died. Hence, the complaint came to be registered.

3. The learned counsel for the petitioner would submit that One Raghu S/o. Muthu, was involved in this case and this petitioner, namely, Raghupathi S/o. Subramani, has been falsely implicated in this case. He is in jail from 19.01.2021. Therefore, he prays to grant bail to the petitioner.

4. The learned Additional Public Prosecutor vehemently opposed stating that the petitioner is a named accused and he along with other accused kidnapped the deceased and attacked him brutally and caused death to the victim. Now, other accused, namely, A1, A2 and A4 were detained under Goondas Act.

5. I have considered the rival submissions and perused the materials available on records carefully.

6. Considering the facts and circumstances of the case and the gravity of the offence and the petitioner is the named accused and also the fact that other accused were already detained under Goondas, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the Criminal Original Petition is dismissed.

-sd/-

19/03/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE INSPECTOR OF POLICE,
KADATHUR POLICE STATION,
DHARMAPURI.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE OFFICER INCHARGE,
DISTRICT JAIL, DHARMAPURI.

+1 CC to M/S.A.ILAYAPERUMAL Advocate on payment of necessary charges SR NO. 3813

CRL OP.5491/2021

Date :19/03/2021