

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Twenty Ninth day of March Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice P. VELMURUGAN

CRIMINAL ORIGINAL PETITION No.6121 of 2021

1 ARISTATIL [PETITIONERS / ACCUSED]
2 CHINNADURAI
3 SATHISHKUMAR

Vs

STATE REP BY [RESPONDENT]
THE INSPECTOR OF POLICE,
KARIAMANGALAM POLICE STATION,
DHARMAPURI DISTRICT.
(CR.NO.55/2021)

For Petitioner : M/S.M.SELVAM Advocate

For Respondent : MRS.M.PRABHAVATHI, Additional 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 Petitioners, who were arrested and remanded to judicial custody on 04.02.2019 for the offence punishable under Sections 341, 307 IPC @ 341, 302 of IPC in Crime No.55 of 2021, seek bail.

2. The case of the prosecution is that the petitioners said to have waylaid the deceased and attacked him with wooden log and thereby, committed murder. Hence, the complaint came to be registered.

3. The learned counsel for the petitioner would submit that they have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. He would further submit that the deceased had driven the vehicle in a rash and negligent manner, fell down and sustained injuries and subsequently died. Hence, he prays to grant bail to the petitioners.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that initially the case was registered

under Sections 279 and 337 of IPC. Thereafter, investigation reveals that it was a planned murder and hence, section was altered into 341 and 307 of IPC. Subsequently, since the deceased died, offence was altered into 341 and 302 IPC. Now, investigation is not yet completed. If the petitioners are released on bail, they may tamper the witnesses.

5. Considering the facts and circumstances of the case and also considering the serious nature of the offence and also the fact that investigation is not yet completed, this Court is not inclined to grant bail to the petitioners.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
29/03/2021

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,
KARIAMANGALAM POLICE STATION,
DHARMAPURI DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE OFFICER INCHARGE
SUB JAIL, DHARMAPURI.

CC to M/S.M.SELVAM Advocate on payment of necessary charges

CRL OP.6121/2021

Date :29/03/2021

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TA-09/04/2021