

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Twenty Third day of April Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice P. VELMURUGAN

CRIMINAL ORIGINAL PETITION No.7650 of 2021

1 RAJ @ RAJI
2 BAKKIYARAJ

[PETITIONERS / ACCUSED]

Vs

STATE REP BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
POOMBUHAR POLICE STATION,
NAGAIPATTINAM DISTRICT
(CR.NO.48/2021)

For Petitioner : M/S OM SAI RAM Advocate

For Respondent : MR. T.P.SAVITHA, Govt. Advocate (Crl. Side)

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners/A1 and A2, who were arrested and remanded to judicial custody on 20.02.2021 for the alleged offence punishable under Sections 294(b) and 302 IPC in Crime No.48 of 2021 on the file of the respondent police, seek bail.

2.The case of the prosecution as per the de facto complainant Tamilvani, who is the wife of the deceased is that while playing cards in the village community hall there was a wordy quarrel between the deceased and the first petitioner/A1, in which, the petitioners/A1 and A2 banged the head of the deceased on the wall. Due to which, the deceased sustained head injury and succumbed to death.

3.The learned counsel for the petitioners would submit that the deceased is an aggressor, in order to protect themselves from the deceased in the wordy quarrel, the petitioners on provocation pushed the deceased on the wall and thereby, he caused severe head injury. He further submitted that the deceased did not die due to the attack of the petitioners and hence, he prays for grant bail to the petitioners.

4.The learned Government Advocate (Crl.Side) would submit that investigation is still pending and awaiting for viscera report and the chemical analysis report.

5.Heard both sides.

6. Considering the serious nature of the offence, the earlier bail application was dismissed by this Court on 29.03.2021. There is no change of circumstances in this case and hence, this Court is not inclined to grant bail to the petitioners.

Accordingly, this Criminal Original Petition is dismissed.

-sd/-

23/04/2021

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 OFFICER INCHARGE,
SUB JAIL, NAGAPATTINAM

2 THE INSPECTOR OF POLICE,
POOMBUHAR POLICE STATION,
NAGAIPATTINAM DISTRICT

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S OM SAI RAM Advocate on payment of necessary charges

CRL OP.7650/2021

Date :23/04/2021

RVR 30/04/2021