

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Twenty Second day of April Two Thousand Twenty One

PRESENT

The Hon`ble Mrs Justice V.BHAVANI SUBBAROYAN

CRIMINAL ORIGINAL PETITION No.7520 of 2021

BASKARAN

[PETITIONER / ACCUSED]

Vs

THE STATE REP.BY
INSPECTOR OF POLICE,
SOORAMANGALAM POLICE STATION,
SALEM.
CRIME NO.1575 OF 2020.

[RESPONDENT]

For Petitioner : M/S. P.RAJKUMAR Advocate

For Respondent : M/S.M.PRABHAVATHI, ADDITIONAL PUBLIC PROSECUTOR

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 22.01.2021 for the alleged offences punishable under Sections 147, 148, 302, 506(ii) IPC altered to 120(B), 147, 148, 302 and 506(ii) of IPC in Crime No.1575 of 2020, seeks bail.

2. The case of the prosecution is that deceased Gopinath is a relative of the de-facto complainant. The son of A5 viz., Edison often teased the mother and sister of the Gopinath and he warned him. Since the said Edison did not hear the same, the said Gopinath and the de-facto complainant murdered him. In this regard, a case has been registered against the said Gopinath and the de-facto complainant and they were arrested and later granted bail. On 24.11.2020 at about 5.00 p.m, after complying condition before the Sooramangalam police, while the deceased Gopinath and the de-facto complainant were proceeding on the junction-AVR Roundana Road, near Second Gate of Subramaniya Nagar, the accused persons assaulted the deceased Gopinath with aruval in a brutal manner and murdered him. During enquiry, it reveals that at the instigation of this petitioner, the other accused have murdered the deceased. Hence the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he did not commit any offence as alleged by the prosecution. He further submitted that the petitioner has been in judicial custody since 22.01.2021 and hence, he may be granted bail.

4. The learned Additional Public Prosecutor would submit that the petitioner and other accused attacked the deceased with aruval in a brutal manner and thereby committed murder of the deceased. Hence, she vehemently opposed to grant bail to the petitioner.

5. Considering the facts and circumstances of the case and also taking into account the gravity of offence committed by the accused, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
22/04/2021

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 INSPECTOR OF POLICE,
SOORAMANGALAM POLICE STATION,
SALEM

2 THE SUPERINTENDENT,
CENTRAL PRISON, SALEM.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.7520/2021

Date :22/04/2021

MK:13/07/2021