



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 06.07.2021

CORAM:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

Crl.A.No.268 of 2021

Samidass

...Appellant

Vs.

State Represented by
The Inspector of Police,
Kitchipalayam Police Station,
Salem District
(Crime No.1182 of 2020)

...Respondent

The Criminal Appeal filed under Section 374(2) of Code of Criminal Procedure to set aside the order of the learned Principal District and Sessions Judge, Salem, in C.M.P.No.1021 of 2021 dated 26.03.2021 in Crime No.1182 of 2020.

For Appellant : Mr.A.T.Anbu Kumar

For Respondent : Mr.S.Sugendran
Govt. Advocate (Crl.Side)

JUDGMENT

This criminal appeal has been filed against the order of dismissal of bail application in C.M.P.No.1021 of 2021 dated 26.03.2021 by the learned Principal District and Sessions Judge, Salem.

2 Case of the prosecution is that due to previous enmity, the appellant and the other accused had surrounded the deceased and attacked him, which caused death to him. The respondent police registered a case against the appellant and others in Crime No.1182 of 2020. There are totally 32 accused in this case and the appellant before this Court was arrayed as A14.

3 The learned counsel appearing for the appellant contended that out of 32 accused, 12 accused have been granted bail, two of them by this Court and 10 of them by the Sessions Court. He further stated that the appellant has not involved in the commission of offence and false case has been foisted against him. The appellant is ready to abide any conditions to



be imposed by this Court for grant of bail.

4 The learned Government Advocate (Crl.Side) appearing for the respondent police would submit that based on the confession statement given by this appellant, other accused were impleaded. Further this appellant is a prime accused in this case and A30 has received a sum of Rs.20.00 lakhs to murder the deceased. In this case investigation completed and charge sheet also filed and at this stage, the appellant should not be released on bail.

5 Heard the learned counsel appearing for the appellant and the learned Government Advocate (Crl.Side) appearing for the respondent police.

6 In this case, investigation completed and charge sheet also filed and at this stage, if the appellant is released on bail, he may tamper the evidence and also chance for abscond and further there is specific overt act against this appellant. Considering the above facts and serious nature of offence and also with a view that trial should not be protracted, this Court is not inclined to grant bail to the appellant.

7 Accordingly, this criminal appeal stands dismissed.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To

1. The Principal District and Sessions Judge, Salem.
2. The Inspector of Police, Kitchipalayam Police Station, Salem District.
3. The Public Prosecutor, High Court of Madras.

Copy to:

The Section Officer,
Criminal Section,
High Court, Madras.

Crl.A.No.268 of 2021

AD(CO)
CB(11/08/2021)