

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 12.05.2021

CORAM

THE HONOURABLE Mr. JUSTICE G.CHANDRASEKHARAN

Cr1.OP.No.8897/2021

1.Ramsake Nag

2.Kullesamath @ Sukkaram

...Petitioners/Accused A4 and A5

Vs.

State Rep. by Inspector of Police,
Yercaud Police Station
Salem District
Cr.No.633 of 2020

..Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 439 Cr.P.C. praying to enlarge the petitioner on bail in connection with the case in Crime No.633/2020 on the file of the respondent police.

For Petitioners: Mr.T.N.Rangesh Kanna

For Respondent : Mr.S.Karthikeyan
Additional Public Prosecutor

ORDER

- (1) The petitioners who were arrested and remanded to judicial custody on 02.10.2020 for the offences punishable under Section 302 IPC and later altered into Sections 302, 147, 148 read with 120(B) IPC in Crime No.633 of 2020 on the file of the respondent police, seek bail.
- (2)The case of the prosecution is that on 29.09.2020 at about 4.30 p.m., the petitioners along with other accused under the influence of alcohol said to have caused the death of the deceased.
- (3)The learned counsel for the petitioners submitted that the petitioners are innocent persons and they are in judicial custody ever since from 02.10.2020. The learned Counsel further submitted that the Final Report in this case has been filed and the same has been taken on file in PRC No.28 of 2021. Hence, he seeks bail with conditions.
- (4)The learned Additional Public Prosecutor strongly opposes this petition, stating that it is a case of twin murder and that the accused belong to Jharkhand and if they are released on bail, there

is no guarantee that they would come and face the trial and therefore, prays for dismissal of this petition.

(5) Taking note of the fact that it is a case of twin murder and also taking into consideration of the submission made by the learned Additional Public Prosecutor that the petitioners belong to Jharkhand and if they are released on bail, there is no guarantee that they would come and face the trial, this Court is not inclined to grant bail to the petitioners.

(6) However, the learned Judicial Magistrate-V, Salem is directed to take steps to commit the case to the Court of Sessions as expeditiously as possible, preferably within a period of two months from the date of receipt of copy of this order.

(7) Accordingly, the petition stands DISMISSED.

-sd/-

12/05/2021

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 JUDICIAL MAGISTRATE,
NO.V, SALEM

2 THE SUPERINTENDENT,
CENTRAL PRISON, SALEM

3 THE INSPECTOR OF POLICE,
YERCAUD POLICE STATION,
SALEM DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.T.N.RANGESH KANNA Advocate on payment of necessary charges

CRL OP.8897/2021

Date :12/05/2021

RVR 29/06/2021