

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.05.2021

CORAM:

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CrI.O.P.No.9541 of 2021

1.M.Mathiyan
2.V.Mukkan

... Petitioners

Vs.

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Karumandurai Police Station,
Salem District.

... Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C, prayed to enlarge the petitioners on bail pending investigation in Crime No.47 of 2021 on the file of the Respondent Police.

For Petitioner : Mr.K.Selvaraj

For Respondent : Mr.A.Gopinath
Government Advocate (CrI. side)

ORDER

The petitioners who were arrested on 31.03.2021 and remanded to judicial custody for the offences under Sections 147, 148, 341, 323, 302 of IPC r/w Section 25(1)(a) of the Arms Act, 1959 in Cr.No.47 of 2021 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that A5 is the father of the victim and that he had three wives. He owned 6 acres of ancestral property. There was a dispute between the victim, who is the son of A5 through his first wife, and his step brothers, as regards sharing the 6 acres of ancestral property. Hence, the step brothers of the victim along with the other accused, including A5/father of the victim assaulted him and caused the death of the deceased. The petitioners herein are arrayed as A3 and A4.

3.The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. Hence, he prays for grant of bail to the petitioners.

4. The learned Government Advocate (Crl. Side) vehemently opposed for grant of bail to the petitioners stating that the investigation is still in the initial stages.

5. Considering the stage of investigation and also the gravity of the offence, this is not a fit case for grant of bail.

6. Therefore, this Criminal Original Petition is dismissed.

-sd/-
26/05/2021

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 INSPECTOR OF POLICE,
KARUMANDURAI POLICE STATION,
SALEM DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE SUPERINTENDENT,
CENTRAL PRISON, SALEM.

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

CRL OP.9541/2021

Date :26/05/2021

TA-22/06/2021

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