



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Twenty Ninth day of July Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.13134 of 2021

1 JAYARAMAN
2 VENKADESAN

[PETITIONER / ACCUSED]

Vs

THE INSPECTOR OF POLICE,
KACHIRAPALAYAM POLICE STATION,
KALLAKURICHI DISTRICT.
CR.NO.399/2021

[RESPONDENT]

For Petitioner : M/S. A.G.RAJAN Advocate

For Respondent : M/S. A.GOPINATH, Govt. Advocate (Crl. Side)

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who were arrested on 02.06.2021 and remanded to judicial custody for the offences under Sections 365 and 348 of IPC, in Crime No.399 of 2021 on the file of the respondent police, seek bail.

2. This is the second bail application before this Court. The case of the prosecution is that the defacto complainant is the son of the deceased and the deceased is an agent for the paddy harvesting vehicles and based on the request of the deceased Selvam, the vehicles belonging the petitioners were sent to Andhra State, however, the said vehicles was detained under one Kalyana Sammayya who is another broker and the same was not returned to the petitioners. Thereafter, the petitioners kept the deceased Selvam under their custody for retrieving their vehicles and on 30.05.2021, the Selvam died due to sudden heart attack and hence, the son of the deceased lodged a complaint against the petitioners.



3. The learned counsel for the petitioners submitted that the petitioners are no way connected with the alleged offence and they have been falsely implicated in this case and the petitioner have been in jail from 02.06.2021. He further submits that the said Kalyana Sammaya wrongfully confined the petitioners vehicle and their drivers and demanded them to pay a sum of Rs.3,50,000/- from them and the amount had to be recovered. However, the petitioners came to the village and took the deceased under their custody. On 30.05.2021, the Selvam died due to heart attack. Therefore, he prays to grant bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent submitted that earlier application was dismissed by this Court in Crl.O.P.No.11416 of 2021 dated 02.07.2021. He further submits that the petitioners had brutally attacked the deceased and thereafter he died. He further submits that the viscera report is awaited and the investigation is still pending. Hence, he vehemently opposed for grant of bail to the petitioners.

5. Considering the facts and circumstances of the case and also the fact that the case is under investigation and there is no change in circumstances to consider the bail petition of the petitioners. Therefore, this Court is not inclined to grant bail to the petitioners.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
29/07/2021

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,
KACHIRAPALAYAM POLICE STATION,
KALLAKURICHI DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE SUPERINTENDENT,
CENTRAL PRISON, CUDDALORE.

CC to M/S. A.G.RAJAN Advocate on payment of necessary charges

CRL OP.13134/2021

Date :29/07/2021

APN 13/08/2021