



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Thursday, the Thirtieth day of September Two Thousand Twenty One

WEB COPY

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI
CRIMINAL ORIGINAL PETITION No.18278 of 2021

SABARINATHAN

[PETITIONER / ACCUSED]

Vs

STATE BY
THE INSPECTOR OF POLICE,
KOMARAPALAYAM POLICE STATION,
NAMAKKAL DISTRICT.
CR. NO. 429/2021

[RESPONDENT]

For Petitioner : M/S. E.P.SENNIYANGIRI Advocate

For Respondent : MR. A.GOPINATH, Govt. Advocate (Crl. Side)

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 12.06.2021 for the alleged offences punishable under Section 302 of IPC, in Crime No.429 of 2021, on the file of the respondent police, seeks bail.

2. This is the third bail application filed before this Court. The case of the prosecution is that the petitioner has murdered his wife namely Tharanidevi by strangulation in order to maintain his illicit intimacy with his college mate and there by committed the offence. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submitted that the petitioner has been in jail from 12.06.2021. He further submitted that the father-in-law of the petitioner had not allowed the deceased to live with the petitioner and even, after death of the petitioner's wife, the male child has been kept under the custody of the defacto complainant and has not given custody of the child to the petitioner. Further, a false case has been foisted against the petitioner. Therefore, he prays for grant of bail to the petitioner.



4.The learned Government Advocate (Crl.Side) submitted that earlier bail application was dismissed by this Court in Crl.O.P.No.14536 of 2021 dated 17.08.2021. Again, the petitioner filed bail application before this Court in Crl.O.P.No.16996 of 2021 dated 16.09.2021 withdrawn as dismissed. He further submitted that the investigation has been completed and the charge sheet has also been filed and there is no change of circumstances. Hence, he vehemently opposed for grant of bail to the petitioner.

5.Considering the facts and circumstances of the case and also the fact that the petitioner has involved in very heinous offence and the investigation has been completed and the charge sheet has also been filed and there is no change of circumstances, this Court is not inclined to grant bail to the petitioner.

6.Accordingly, this Criminal Original Petition is dismissed.

-sd/-
30/09/2021

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,
KOMARAPALAYAM POLICE STATION,
NAMAKKAL DISTRICT.

2 THE SUPERINTENDENT,
CENTRAL PRISON, SALEM.

3 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

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

CRL OP.18278/2021

Date :30/09/2021

INBA-06/10/2021