



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

Monday, the Twenty Seventh day of September Two Thousand Twenty One

WEB COPY

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI
CRIMINAL ORIGINAL PETITION No.17828 of 2021

1 GOKUL
2 NARENTHIRAN

[PETITIONER / ACCUSED]

Vs

STATE REP.BY ITS
THE SUB INSPECTOR OF POLICE,
MOHANUR POLICE STATION,
NAMAKKAL DISTRICT.
CR.NO.572 OF 2021.

[RESPONDENT]

For Petitioner : M/S.W.CAMYLES GANDHI 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 petitioners, who were arrested and remanded to judicial custody on 23.07.2021 for the offence punishable under Section 302 of IPC, in Crime No.572 of 2021 on the file of the respondent police, seek bail.

2. This is the second bail application filed before this Court. The case of the prosecution is that the brother of the defacto complainant and second accused are husband and wife and the first accused claims to be tenant cum paramour of the second accused and out of such illegal intimacy, they along with co-accused conspired together and assaulted the brother of the defacto complainant and as a result, he succumbed to the injuries. Hence, the complaint.

3.The learned counsel appearing for the petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. He further submitted that the petitioners have been in jail from 23.07.2021. Hence, he prays for grant of bail to the petitioners.



4. The learned Government Advocate (Crl.Side) submitted that earlier bail application was dismissed by this Court in Crl.O.P.No.16320 of 2021 dated 08.09.2021. He further submitted that there is one previous case pending against the petitioners and there is no change of circumstances. 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 petitioners have involved in very heinous offence, and earlier bail application was dismissed by this Court and there is no change of circumstances, this Court is not inclined to grant bail to the petitioners.

6.Accordingly, this Criminal Original Petition is dismissed.

-sd/-
27/09/2021

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 SUB INSPECTOR OF POLICE,
MOHANUR POLICE STATION,
NAMAKKAL DISTRICT.

2 THE SUPERINTENDENT,
CENTRAL PRISON, SALEM.

3 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

CC to M/S.W.CAMYLES GANDHI Advocate on payment of necessary charges

CRL OP.17828/2021

Date :27/09/2021

INBA-07/10/2021