



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Eighth day of November Two Thousand Twenty One

PRESENT

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

CRIMINAL ORIGINAL PETITION Nos.18667 & 20522 of 2021

G.PARAMASIVAM

[PETITIONER / ACCUSED
IN CRL.O.P.No.18667 of 2021]

PALANI KUMAR

[PETITIONER / ACCUSED
IN CRL.O.P.No.20522 of 2021]

Vs

STATE BY

[RESPONDENT IN BOTH THE PETITIONS]

THE INSPECTOR OF POLICE,
F5 - CHOOLAI MEDU POLICE STATION,
CHENNAI.
CRIME NO. 688 OF 2021.

For Petitioner : M/S.R.RAJAN Advocate
[IN CRL.O.P.No.18667 of 2021]

For Petitioner : M/S.R.JOHN SATHYAN, Advocate
[IN CRL.O.P.No.20522 of 2021]

For Respondent : MR. A.GOKULAKRISHNAN, Additional Public Prosecutor
[IN BOTH THE PETITIONS]

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

(The case has been heard through video conference)

The petitioners who were arrested and remanded to judicial custody on 20.09.2021 and 10.09.2021 respectively for the offence under Sections 420, 406, 306 IPC in Crime No.688 of 2021, on the file of the respondent police, seek bail.



2. The case of the prosecution is that the deceased had given a sum of Rs.23,00,000/- to A1 through other accused for the purpose of getting employment in TNEB. But they have not secured any job as promised by them and also refused to repay the amount. While so on 10.09.2021 the deceased had gone to meet A1 at his premises during which, the petitioner abused him and hence, the deceased committed suicide by pouring kerosene over his body and set fire on him. Hence, the complaint.

3. The learned Counsel for the petitioner/A4 in Crl.O.P.No.18667 of 2021 would submit that the petitioner is an innocent and he is no way connected with the alleged offence and he has been falsely implicated in this case. He would further submit that the petitioner is working as Assistant in Labour Department, Secretariat and he has been suffering incarceration for more than 45 days from 20.09.2021. Hence, he would pray for grant of bail to the petitioner.

4. The learned Counsel for the petitioner/A1 in Crl.O.P.No.20522 of 2021 would submit that the petitioner is an innocent and he has been falsely implicated in this case. He would further submit that the petitioner is a businessman involved in real estate business and there was a money transaction of Rs.15,00,000 /- between the petitioner and the deceased out of which, the petitioner had repaid a sum of Rs.13,00,000/- and thereafter, due to the pandemic situation, there was no business activity for about 1½ years and thereby, the petitioner was unable to pay the amount. Further, on the date of alleged occurrence, the petitioner was not aware of the possession of the Kerosene can with the deceased and out of sudden provocation, the deceased himself set fire on him for which, the petitioner would not be responsible and that the petitioner has been suffering incarceration for about 55 days from 10.09.2021. Hence, he would pray for grant of bail.

5. The learned Additional Public Prosecutor raised strong objection stating that the petitioners are arrayed as A4 and A1 respectively. The accused had promised the deceased to get him a job in the Government Department and obtained a sum of Rs.23,00,000/- and thereafter, they did not arrange for any job and when the deceased had requested them for return of money, there was a quarrel between them and out of the quarrel, the occurrence had happened. He would further submit that the investigation is pending.

6. Considering the nature of offence and the fact that the investigation is still pending, this Court is not inclined to grant bail to the petitioners.



7. Accordingly, the Criminal Original Petitions are dismissed.

-sd/-

08/11/2021

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 OFFICER INCHARGE,
SUB JAIL, SAIDAPET.

2 THE OFFICER INCHARGE,
SUB JAIL, PONNERI.

3 THE INSPECTOR OF POLICE,
F5 - CHOOLAI MEDU POLICE STATION,
CHENNAI.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP. Nos.18667 & 20522/2021

Date :08/11/2021

RW 23/11/2021