



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Eighth day of October Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.19181 of 2021

SABARINATHAN

[PETITIONER / ACCUSED]

Vs

STATE BY
THE INSPECTOR OF POLICE,
KOMARAPALAYAM POLICE STATION,
NAMAKKAL.
CRIME NO.429 OF 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 fourth 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. 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 Again, the petitioner filed bail application before this Court in Crl.O.P.No.16996 of 2021 dated 16.09.2021 withdrawn as dismissed and once again, the petitioner filed bail application before this Court in Crl.O.P.No.18278 of 2021 and the same was dismissed on 30.09.2021. 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. Initially, the petition was dismissed by this Court and thereafter, second bail petition filed was withdrawn by the petitioner. Again, the petitioner has come forward before this Court alleging change of circumstances however no change in circumstances has been pointed out by the petitioner in the petition other than the filing of charge sheet by the Investigating agency. Filing of charge sheet cannot be said to be a change of circumstances warranting reconsidering of petition for bail. Therefore, there being no change of circumstances pointed out, this Court is not inclined to grant the relief sought for in this petition.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
08/10/2021

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.



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.19181/2021

Date :08/10/2021

JPA 28/10/2021