



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Fifteenth day of November Two Thousand Twenty One

PRESENT

The Hon`ble Mrs Justice T.V. THAMILSELVI

CRIMINAL ORIGINAL PETITION No.20852 of 2021

1 THILIP [PETITIONERS / ACCUSED]
2 KARTHICK
3 JEEVA
4 DHARMAN
5 SELVAM
6 GANESAN
7 SRINIVASAN
8 RAMACHANDRAN

Vs

STATE REP BY [RESPONDENT]
THE INSPECTOR OF POLICE,
VALAPPADY POLICE STATION
IN CRIME NO. 479/2021

For Petitioner : M/S.S.T.BHARATH GOWTHAM Advocate

For Respondent : MR.N.S.SUGANTHAN, Govt. Advocate (Crl. Side)

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

(The case has been heard through video conference)

The petitioners 1 to 3 were arrested and remanded to judicial custody on 15.09.2021 and the petitioners 4 and 5 were arrested on 16.09.2021 and the petitioners 6 and 7 were arrested on 17.09.2021 and the 8th petitioner surrendered on 17.09.2021, for the offences under Sections 174(3) of Cr.P.C. and subsequently, altered into Sections 147, 148, 364 and 302 IPC, in Crime No.479 of 2021, seek bail.

2.The case of the prosecution is that the defacto complainant is the Village Administrative Office and he lodged a complainant stating that one Raja was found dead in a Well. Initially, the case was registered under Section 174(3) Cr.P.C. Later on enquiry, it was found that the deceased Raja along with one Dharman, Ganesan, Srinivasan



and Selvam was doing illegally transporting Rose Wood Trees. While so, there was some dispute between them in respect of sharing the amounts. Hence, the accused kidnapped the deceased, assaulted him and also demanded money from his wife. At that time, the deceased escaped from the custody of the deceased and jumped in to a Well. At that time, the accused threw stones into the Well with an intention to kill him and subsequently, he died. Hence, the offences were altered into Sections 147, 148, 364 and 302 IPC.

3. The learned counsel appearing for the petitioners would submit that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case and that they have been suffering incarceration for more than 60 days. Hence, he prays for grant of bail to the petitioners.

4. The learned Government Advocate raised strong objection stating that all the accused have been arrested and remanded to judicial custody and the investigation is still pending.

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

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

15/11/2021

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 INSPECTOR OF POLICE,
VALAPPADY POLICE STATION

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.



3 THE SUPERINTENDENT,
CENTRAL PRISON, SALEM

WEB COPY

CC to M/S.S.T.BHARATH GOWTHAM Advocate on payment of necessary charges

CRL OP.20852/2021

Date :15/11/2021

APN 24/11/2021