



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Twenty Fourth day of November Two Thousand Twenty One

PRESENT

The Hon`ble Mrs Justice T.V.THAMILSELVI

CRIMINAL ORIGINAL PETITION No.21897 of 2021

ARUMUGAM

[PETITIONER / ACCUSED]

Vs

STATE REP BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
MELCHENGAM POLICE STATION,
TIRUVANNAMALAI DISTRICT.
CRIME NO.412 OF 2021.

For Petitioner : M/S. E.KANNADASAN 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 petitioner who was arrested and remanded to judicial custody on 20.09.2021 for the offences under **Sections 174 of Cr.P.C. @ into Sections 120(B), 302 of IPC**, in Crime No.412 of 2021, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant is the mother of the deceased. On 17.09.2021, the defacto complainant's elder son went to his job as usual. Later he did not return home. Next day i.e. 18.09.2021, she received an information that a male body was found in the land of one Ramanathan. On receipt of the same, she went and identified the body is her son. Initially, the case was registered under Section 174 Cr.P.C. Later on investigation, it was found that for the past 3 years, the petitioner was having illicit intimacy with the wife of the deceased. On knowing the same, the deceased warned her. Hence, the petitioner and the wife of the deceased conspired together to do away the deceased. On 17.09.2021 at about 9 a.m., the petitioner called the deceased to Karumangulam Erikarai for consuming Alcohol and while they were



consuming alcohol, there was a wordy quarrel between them regarding the illegal relationship of the petitioner during which, the petitioner strangled the deceased and attacked him with Panaimattai on the back side of his head and pulled him on the floor due to which, the deceased died on the spot. Hence, the case was altered as stated above.

3.The learned counsel for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He would further submit that the petitioner has been suffering incarceration for more than 65 days from 20.09.2021 and hence, he would pray for grant of bail to the petitioner.

4.The learned Government Advocate (Crl. Side) would raise strong objection stating that the petitioner is arrayed as A1 and he is the paramour of A2 who is the wife of the deceased and that the investigation has not been completed.

5.On seeing the grave nature of allegation levelled against the petitioner and that the investigation has not been completed, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

24/11/2021

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,
MELCHENGAM POLICE STATION,
TIRUVANNAMALAI DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE SUPERINTENDENT,
CENTRAL PRISON, VELLORE.

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

CRL OP.21897/2021

Date :24/11/2021

TA-02/12/2021