



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Thirtieth day of November Two Thousand Twenty One

PRESENT

The Hon`ble Mrs Justice T.V.THAMILSELVI

CRIMINAL ORIGINAL PETITION No.22469 of 2021

THANIKAIVEL

[PETITIONER / ACCUSED]

Vs

STATE BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
ARNI TOWN POLICE STATION,
TIRUVANNAMALAI DISTRICT.
CR.NO.1047/2021.

For Petitioner : M/S. M.REBECCA Advocate

For Respondent : MR.N.S.SUGANTHAN, Govt. Advocate (CrI. 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 15.10.2021 for the offences under Section 302 IPC, in Crime No.1047 of 2021, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the deceased is the younger son of the de facto complainant. The deceased who was addicted to alcohol, used to threaten and demand money from his father/de facto complainant for consuming alcohol. On 13.10.2021 at about 7.00 p.m., the deceased demanded money from the de facto complainant and he refused the same. Hence, the deceased called his sister Kalaiselvi over phone and asked her to tell his father to give him money and subsequently, she called the defacto complainant and told him to give money to the deceased and that the defato complainant also gave him money. At that time, the deceased told him that he is going to consume alcohol with the money along with the petitioner. On the same day at about 8 p.m., the defacto complainant heard that there was some dispute between the deceased, petitioner



and one Jeeva. Hence, the defacto complainant went to the spot but, he was informed that the petitioner had taken the deceased to his house. Thereafter, on 14.10.2021, the de facto complainant received an information from his brother's son Suresh that his younger son Yuvaraj/deceased was found dead near Thirumalai Samuthiram lake and he also informed that the petitioner had murdered him by throwing stone on his head. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is no way connected with the alleged offence and he has been falsely implicated in this case only on suspicion. He would further submit that the petitioner has been suffering incarceration for more than 40 days from 15.10.2021and hence, he would pray for grant of bail to the petitioner.

4.The learned Government Advocate (Crl. Side) would raise strong objection stating that due to wordy quarrel, the alleged occurrence had happened and that the investigation has not been completed.

5.Considering the grave nature of offence and that the investigation has not been completed, this court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original petitioner is dismissed.

-sd/-

30/11/2021

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,
ARNI TOWN POLICE STATION,
TIRUVANNAMALAI DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE SUPERINTENDENT,
CENTRAL PRISON, VELLORE.

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

CRL OP.22469/2021

Date :30/11/2021

TA-13/12/2021