



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Thursday, the Second day of December Two Thousand Twenty One

PRESENT

The Hon`ble Mrs Justice T.V. THAMILSELVI
CRIMINAL ORIGINAL PETITION No.23065 of 2021

D.DHESAPPAN

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
ENNORE POLICE STATION.
CHENNAI
(CR.NO.833 OF 2021)

[RESPONDENT]

For Petitioner : M/S.L.CHEZHIAN Advocate

For Respondent : MR. N.S.SUGANTHAN, Govt. Advocate (Cr1. 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 27.09.2021 for the offences under Sections 147, 148, 294(b), 448, 302 of IPC, in Crime No.833 of 2021, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant's son was attacked with rod and stone by the petitioners and others due to previous enmity and subsequently, he succumbed to injuries. Hence the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent and he has been falsely implicated in this case. He would further submit that the wife of the petitioner is at the verge of her pregnancy and she needs care of her husband and that the petitioner has been suffering incarceration for more than 70 days from 27.09.2021 and that there is no previous case against him. He would further submit that this is the 2nd application for bail and the earlier application was dismissed by this Court by order dated 09.11.2021. Hence, he would pray for grant of bail to the petitioner.



4.The learned Government Advocate would raise strong objection stating that the petitioner is arrayed as A4 and he also took active part in the offence and that the investigation has not been completed.

5.Considering the gravity of the offence and the fact that the investigation has not been completed, this Court is not inclined to grant bail to the petitioner. Accordingly the Criminal Original Petition is dismissed.

-sd/-

02/12/2021

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,
ENNORE POLICE STATION.
CHENNAI.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL,
CHENNAI

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

CRL OP.23065/2021

Date :02/12/2021

RVR 15/12/2021