



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Thirteenth day of December Two Thousand Twenty One

PRESENT

The Hon`ble Mrs Justice T.V. THAMILSELVI

CRIMINAL ORIGINAL PETITION No.24143 of 2021

DHARANI

[PETITIONER / ACCUSED]

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
ARAKKONAM TOWN POLICE STATION,
RANIPET DISTRICT.
CRIME NO.470 OF 2021.

[RESPONDENT]

For Petitioner : M/S.K.JEYMOHAN 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 26.10.2021 for the offence under Section 174 of Cr.P.C @ 323, 324, 302 r/w 34 of IPC, in Crime No.470 of 2021, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that due to previous enmity, the petitioner along with other accused persons killed the de facto complainant's son by throwing large boulder on the chest of de facto complainant's son. 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. Even as per the prosecution, the petitioner is arrayed as A2 and he only instigated A1 to commit the murder and he never assaulted the deceased. He would further submit that the petitioner has been suffering incarceration for more than 75 days from 26.10.2021 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 there are totally 3 accused involved in this case and the petitioner is arrayed as A2. The petitioner and de facto complainant were friends and due to previous enmity with regard to property dispute, the petitioner in a drunken mood attacked the deceased with stone due to which, he died on the spot and that the investigation has not been completed.

5.Considering the gravity of offence and 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/-
13/12/2021

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,
ARAKKONAM TOWN POLICE STATION,
RANIPET DISTRICT.

2 THE SUPERINTENDENT,
CENTRAL PRISON, VELLORE.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.24143/2021

Date :13/12/2021

JPA 29/12/2021