



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Twenty Second day of December Two Thousand Twenty One

PRESENT

The Hon`ble Mrs Justice T.V.THAMILSELVI

CRIMINAL ORIGINAL PETITION No.25249 & 25252 of 2021

1 VARUN VASU [PETITIONER / ACCUSED
2 V.GOVINDHARAJULU IN CRL.O.P.No.25249/2021]

1 VIGNESH EZHUMALAI [PETITIONER / ACCUSED
2 PRAVINKUMAR IN CRL.O.P.No.25252/2021]

Vs

STATE REP BY [RESPONDENT IN BOTH THE PETITIONS]
THE INSPECTOR OF POLICE,
T-13, KUNDRATHUR POLICE STATION,
KANCHEEPURAM DISTRICT.
(CRIME NO.825/2021)

For Petitioner : M/S.JOHN WESLEY, Advocate [CRL.O.P.No.25249/2021]

For Petitioner : M/S.K.NIVESH KUMAR, Advocate [CRL.O.P.No.25252/2021]

For Respondent : MR.N.S.SUGANTHAN, Govt. Advocate (Crl. Side)
[IN BOTH THE PETITIONS]

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners who were arrested and remanded to judicial custody on 21.10.2021 for "Man Missing" altered into offences under Sections 364 IPC altered into Sections 364, 302, 201, 147, 148, 294 B and 212 IPC in Crime No.825 of 2021, on the file of the respondent police, seek bail.

2. The case of the prosecution is that on 15.10.2021, the deceased who had gone to the Market did not return home. Hence, based on the complaint given by the wife of the deceased, the case was initially registered for "Man Missing". Thereafter, during



investigation, it was found that due to previous enmity, the petitioners along with others kidnapped the deceased Silambarasan to Graveyard and murdered him. Hence the complaint.

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3. The learned counsel for the petitioners would submit that the petitioners are no way connected with the alleged offence and they have been falsely implicated in the above case. He would further submit that the petitioners have been suffering incarceration for more than 62 days from 21.10.2021 and hence he would pray for grant of bail to the petitioners.

4. The learned Government Advocate (Crl. Side) raised strong objection stating that a gang of persons are involved in this case and the investigation has not been completed and if the petitioners are released on bail, there is every possibility of the petitioners getting abscond and tampering the evidence.

5. On seeing the grave nature of allegation levelled against the petitioners and that the investigation has not been completed and if the petitioners are released on bail, there is every possibility of the petitioners getting abscond and tampering the evidence and hence, this Court is not inclined to grant bail to the petitioners.

6. Further, as per FIR, the accused persons have committed the murdered of the deceased and therefore, they have been charged for the offences under Sections 364, 302, 201, 147, 148, 294 B and 212 IPC. Due to the death of the deceased, the 4 young minor children of the deceased have lost the love and affection of their father and the family is now starving for food without any livelihood. Hence, this Court recommends that it is a fit case to refer, **as per 357(A) (1) (2) and (6) of Victim Compensation Scheme**. The Tamil Nadu Legal Services Authority, Chengalpattu District and Chairman of the said authority are hereby directed to pay and deposit a sum of **Rs.25,000/- each** in the name of the **four minor children** of the deceased under the guardianship of their mother, in post office fixed deposit as interim compensation till they attain majority in the manner known to law within a period of 4 weeks from the date of receipt of copy of this order. The mother of the children shall be permitted to withdraw the interest amount and she shall utilize the same for the welfare of the children until the attain majority.



7. With the above directions, this Criminal Original Petition is dismissed.

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-sd/-
22/12/2021

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,
T-13, KUNDRATHUR POLICE STATION,
KANCHEEPURAM DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL, CHENNAI.

COPY TO

1. THE CHAIRMAN
TAMIL NADU LEGAL SERVICES AUTHORITY,
CHENGALPATTU DISTRICT.

2. THE SECRETARY
TAMIL NADU LEGAL SERVICES AUTHORITY,
KANCHIPURAM.

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

CRL OP.25249 & 25252/2021

Date :22/12/2021

TA-05/01/2022