



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 17/04/2021

PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN
CRL OP(MD) . No.4799 of 2021

WEB COPY

1. Karthick
2. Sadham Hussain ... Petitioners/Accused No.1 and 3

Vs

State through
The Inspector of Police,
Thiruvidaimarudur Police Station,
Thanjavur District.
Cr.No. 1384 of 2020. ... Respondent/Complainant

For Petitioners : M/s.Alagumani R,
Advocate.

For Respondent : Mr.K.Dinesh Babu,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For Bail in Crime No.1384 of 2020 on the file of the
Respondent Police.

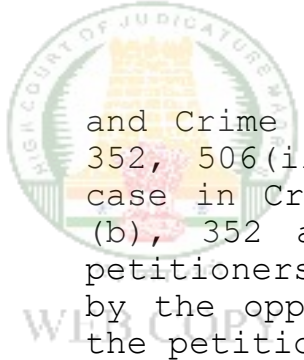
ORDER : The Court made the following order :-

The petitioners/A1 and A3, who were arrested on 21.08.2020 for the offences punishable under Section 302 of IPC r/w.Section 34 of IPC in Crime No.1384 of 2020 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the petitioners herein along with other accused said to have murdered to Saranraj on 20.08.2021 . Hence the complaint.

3. The learned counsel for the petitioners would submit that the petitioners have been falsely implicated in this case. He would also submit that some of the co-accused in this case were released on bail. He would also submit that the investigation is completed and the case is pending trial in S.C. No. 98 of 2020 on the file of the Additional District Judge, Kumbakonam. He would also submit that the petitioner is in jail from 21.08.2020 , hence he seeks bail.

4. The learned Additional Public Prosecutor would submit that the first petitioner is having three previous cases; Crime No. 16 of 2019 for the offences under Sections 294(b), 324, 506(ii) of IPC, Crime No.140 of 2019 for the offences under Sections 386 and 506(ii)



and Crime No. 265 of 2019 for the offences under Sections 294(b), 352, 506(ii) of IPC. The second petitioner is having one previous case in Crime No. 265 of 2019 for the offences under Sections 294(b), 352 and 506(ii) of IPC. He further apprehends that if the petitioners are released on bail there is possibility of retaliation by the opposite party, hence he strongly opposed to grant bail to the petitioner.

5. Taking into consideration the facts and circumstances of the case and also taking into consideration the way in which murder had taken place the fact that the petitioners are having previous cases taking note of the apprehension raised by the learned Additional Public Prosecutor, this Court is of the considered view that this is not the right time for granting bail to the petitioners.

6. In the result, the petition stands dismissed.

sd/-

17.04.2021

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/ /2021

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

AAV

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1. THE INSPECTOR OF POLICE,
THIRUVIDAIMARUDUR POLICE STATION,
THANJVUR DISTRICT.
2. THE SUPERINTENDENT, CENTRAL PRISON,
TRICHY
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN

CRL OP (MD) No.4799 of 2021

Date : 17/04/2021