



WEB COPY

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.5081 of 2021

1. Antony
2. Baanai Alias Mahendran ... Petitioners/Accused A9 & A11

Vs

The Inspector of Police,
Dindigul Town South Police Station,
Dindigul,
Cr No. 1908/2020. ... Respondent/Complainant

For Petitioners : M/s.William Christopher.J.,
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. 1908/2020 on the file of the Respondent Police

ORDER : The Court made the following order :-

The petitioners/A9 and A11, who were arrested on 24.10.2020 for the offences punishable under Sections 147,148,302,336, 506(ii) of IPC @ 120(b), 147, 148,302,336,506(ii) of IPC r/w. 149 of IPC in Crime No.1908 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 committed the murder of the brother of the defacto complainant. 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 investigation has been completed and the final



report has been filed before the learned Judicial Magistrate No.III, Dindigul and the same has been taken cognizance in PRC No.01 of 2021. He would further submit that the petitioners never participated in the alleged occurrence and no specific overt act has been attributed against him. He would also submit that the petitioners are in jail from 24.10.2020 , hence he seeks bail.

4. The learned Additional Public Prosecutor would submit that the petitioners actively took part in the commission of offence and they are very much available in the scene of occurrence. He would also submit that two previous case is pending against the first petitioner in Crime Nos.651 of 2017 for offences under Sections 147,148,294(b), 307,326 r/w.34 of IPC and Crime No. 1908 of 2020 for the offences under Sections 147,148,302,336 and 506 (ii) of IPC and five previous case is pending against the second petitioner in Crime No. 647 of 2018 under Sections 457,380 of IPC, Crime No.141/19 under Sections 109,307,506(ii) of IPC, Crime No. 675 of 2019 Under Section 294(b) of IPC, Crime No.1862 of 2020 under Sections 294(b), 324, 506 (ii) of IPC, Crime No. 1908 of 2020 under Sections 147,148,302,336,506(ii) of IPC, 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 previous bad antecedents of the petitioners, this Court is not inclined to grant bail to the petitioners.

6. In the result, the petition stands dismissed.

sd/-
17.04.2021

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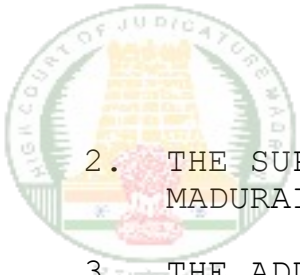
/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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,
DINDIGUL TOWN SOUTH POLICE STATION,
DINDIGUL.



2. THE SUPERINTENDENT, CENTRAL PRISON,
MADURAI

3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

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ORDER
IN
CRL OP(MD) No.5081 of 2021

Date : 17/04/2021

VB/PN/SAR-IV (21/04/2021) 3P / 4c