



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/04/2021

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PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD). No.6011 of 2021

Seeni

... Petitioner/8th Accused

Vs

The State rep by
The Inspector of Police,
Chinna Kovilankulam Police Station,
Sankarankovil,
Tenkasi District
(Crime No.75 of 2021).

... Respondent/Complainant

For Petitioner : Mr.Sankar K,
Advocate.

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

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

PRAYER :-

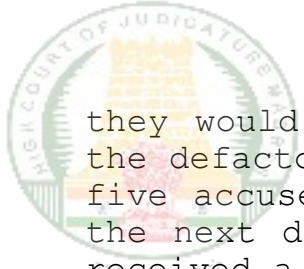
For Bail in Crime No.75 of 2021 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioner/Accused No.8, who was arrested on 29.03.2021 for the offence punishable under Sections 147, 294(b), 302 and 506(ii) of IPC in Crime No.75 of 2021 on the file of the respondent police, seeks bail.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent police.

3.It is seen from the submissions made that due to previous enmity, the deceased was murdered by the accused in this case. On 25.03.2021, at about 11.00 a.m., when the father of the defacto complainant went to the Market and when the defacto complainant was at home, the accused came, scolded the father of the defacto complainant in filthy language and criminally intimidated him that



they would kill his father. On the same day, at about 11.20 a.m., the defacto complainant telephoned to his father and he replied that five accused were chasing him and he would come to home safely. On the next day morning, at about 07.30 a.m., the defacto complainant received a phone call from one Mahesh saying that his father died in front of one Kurumbudaiyar Sastha Temple. When the defacto complainant went there, he found his father dead with injuries in legs, thighs, knees and eyes. Hence, the complaint.

4.The learned counsel for the petitioner submitted that petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and the petitioner has been falsely implicated in the present case. He further submitted that the petitioner is not named in this case. Therefore, he seeks bail.

5.The learned Government Advocate (criminal side), on instructions, submitted that Accused Nos.3 and 5 are absconding and all other accused have been arrested and remanded to judicial custody. The investigation in this case is in preliminary stage and the petitioner has eleven previous cases pending against him. Therefore, he strongly opposes this petition.

6.Considering the facts and circumstances of the case, the fact that this is a murder case, the accused Nos.3 and 5 are absconding, the petitioner has eleven previous cases pending against him and the investigation in this case is in preliminary stage, this Court is not inclined to grant bail to the petitioner. Accordingly, this criminal original petition is dismissed.

Sd/-
29/04/2021

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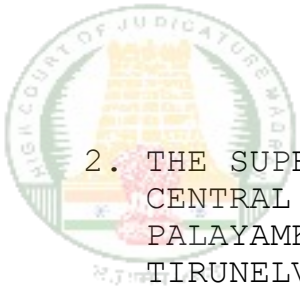
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SM

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,
CHINNA KOVILANKULAM POLICE STATION,
SANKARANKOVI, TENKASI DISTRICT.



2. THE SUPERINTENDENT,
CENTRAL PRISON,
PALAYAMKOTTAI,
TIRUNELVELI DISTRICT.

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

ORDER
IN
CRL OP(MD) No.6011 of 2021
Date:29/04/2021

VB JC SAR II(21/05/2021) 3P / 4c