



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

Date : 30/04/2021

PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD)No.6311 of 2021

Arunachalam

... Petitioner/Accused No.3

Vs

State through
The Inspector of Police,
Eral Police Station,
Thoothukudi District.
Crime No.331 of 2020

... Respondent/Complainant

For Petitioner : Mr.J.Joseph Zinoson

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

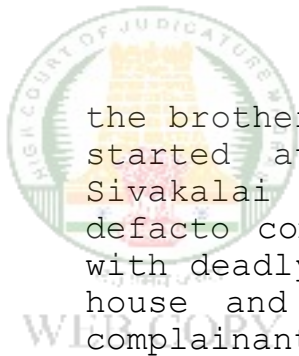
PETITION FOR BAIL Under Sec. 439 Cr.P.C.

PRAYER :-For Bail in Crime No.331 of 2020 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner, who was arrested on 04.07.2020 for the offences punishable under Sections 294(b), 324, 307, 302, 506(ii) IPC in Crime No.331 of 2020 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the defacto complainant and one Sangeetha were in love with each other. Initially, their affair was accepted by the family of the said Sangeetha and they got married. After marriage, the defacto complainant was living in his wife's house. He was ill-treated by his in-laws. Therefore, he informed the same to his brother. On 01.07.2020 the brother of the defacto complainant told him to get 40 sovereigns of gold jewels from his wife's family. The defacto complainant informed the same to his wife on 02.07.2020 at about 10.00 am., and she also accepted for the same. On the same day, at about 08.30 pm., the brother of the said Sangeetha contacted him over phone and requested him to come near Sivakalai Panchayat Office. Therefore, the defacto complainant and his brother went to the said place. At that time,



the brother of the said Sangeetha abused them in filthy language and started attacking them. Therefore, they ran for life. Near Sivakalai Bus Stop, one Arunmahesh, who is the relative of the defacto complainant, stopped them and all the accused attacked him with deadly weapons. Thereafter, the defacto complainant ran to his house and the accused pursued him, the parents of the defacto complainant stopped them. Due to that, the accused attacked the parents of the defacto complainant and threatened him with dire consequences. Due to the attack made by the accused, the relative of the defacto complainant Arunmahesh and the mother of the defacto complainant died. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent and he is in judicial custody for more than 10 months. He further submitted that the trial in this case in S.C.No.236 of 2020 on the file of the learned II Additional District Judge, Thoothukudi is going on and therefore, he seeks bail to the petitioner.

4.The learned Additional Public Prosecutor appearing for the respondent strongly opposed this petition on the ground that it is a case double murder and if the petitioner is released on bail, he will abscond from the justice, thereafter the witnesses hamper the trial.

5.Considering the fact that it is a case of double murder and the fact that almost half of the trial is over, the genuine apprehension of the learned Additional Public Prosecutor, this Court is not inclined to grant bail to the petitioner. Accordingly, this criminal original petition is dismissed.

sd/-
30/04/2021

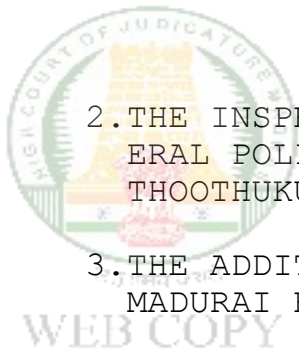
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/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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 SUPERINTENDENT,
PALAYAMKOTTAI CENTRAL JAIL, TIRUNELVELI DISTRICT.



2.THE INSPECTOR OF POLICE,
ERAL POLICE STATION,
THOOTHUKUDI DISTRICT.

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

ORDER
IN
CRL OP (MD) No.6311 of 2021
Date :30/04/2021

GNS
AE/VR/SAR-II (21/05/2021) 3P / 4C