



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

Date : 05/05/2021

PRESENT

The Hon`ble Mrs.Justice S.ANANTHI

CRL OP(MD). No.6489 of 2021

Selvaraj

... Petitioner/A2

Vs

State Rep. by
The Inspector of Police,
Uthamapalayam Police Station,
Theni District.
Crime No.1292/2020.

... Respondent/Complainant

For Petitioner : Mr.Jeganathan.C,
Advocate.

For Respondent : Mr.A.Robinson,
Government Advocate (Crl.Side)

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

PRAYER :- For Bail in Crime No.1292/2020 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A2, who was arrested and remanded to judicial custody on 22.04.2021 for the offences punishable under Section 174 of Cr.P.C @ 302, 201 of IPC on the file of the respondent police seeks bail.

2.The case of the prosecution is that the Village Administrative Officer has received a information that on 14.06.2020 one male dead body was found with half burn injuries lying near the tamarind thopu at Edayankulam without any identification. Thereafter, the respondent police registered the complaint and investigated the matter and found that the petitioner along with deceased's wife committed the murder. Hence the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated as an accused in this case. He would also submit that only based on the confession of the co- accused he has been implicated as an accused. He would also submit that petitioner is in judicial custody from 22.04.2021 to 05.05.2021 and he seeks bail.



4. The learned Government Advocate(Crl.Side) would submit that the petitioner and the deceased's wife have a illegal intimacy, when the same was questioned by the deceased and thereafter, the petitioner along with the deceased's wife committed the murder and the petitioner taken the body from his brick kiln to the thoppu and poured petrol and set on fire. He would submitted that the respondent police collected the blood samples from the A1 and her daughters and identified to be Nagaraj, who is the husband/deceased of A1. He would further submit that the investigation is at the nascent stage. Hence, he vehemently opposed to grant bail to the petitioner.

5. Taking into consideration the grave nature of offence committed by the petitioner and the investigation is at the nascent stage and also the fact that the petitioner was arrested only on 22.04.2021, this Court is not inclined to grant bail to the petitioner.

6. In the result, the petition stands dismissed.

sd/-
05/05/2021

/ TRUE COPY /

/ /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 INSPECTOR OF POLICE,
UTHAMAPALAYAM POLICE STATION,
THENI DISTRICT.
- 2 THE OFFICER INCHARGE,
SUB JAIL, PERIYAKULAM.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.6489 of 2021
Date :05/05/2021

AAV/TTA

<https://hcma.cse.judges.org/In/Case/05.2021/2P/4C>