



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02/06/2021

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PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD). No.6735 of 2021

Boobesh

... Petitioner/Accused
Rank Not Known

Vs

State Rep. by
The Inspector of Police,
Thottiyam Police Station,
Thottiyam, Trichy District.
Crime No.136 of 2021

... Respondent/Complainant

For Petitioner : Mr.Arunraj.K,
Advocate.

For Respondent : Mr.M.Muthumanickam,
Government Advocate (Crl.Side)

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

PRAYER :- For Bail in Crime No.136 of 2021 on the file of the respondent police.

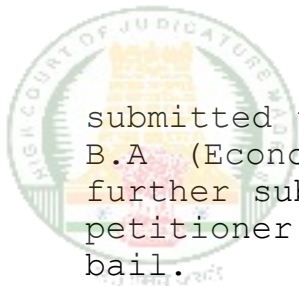
ORDER : The Court made the following order :-

The petitioner/Accused, who was arrested on 11.04.2021 for the offence punishable under Section 302 of IPC @ 302,147,148,294(b), 323,324,341 and 506(ii) of IPC, in Crime No.136 of 2021 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that due to previous enmity all the accused conspired together and attacked the deceased with knife and caused his death. Hence the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. Based on the confession statement given by A1 and A2 he has been falsely implicated as an accused in this case. He would further submit that the name of the petitioner does not found place in the First Information Report. He would also submit that only A1 and A2 attacked the deceased with knife and the

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submitted that the petitioner is a college student studying II year B.A (Economics) at Arignar Anna Govt. Arts College, Musiri. He further submitted that all the accused persons were arrested and the petitioner is in judicial custody from 11.04.2021, hence he seeks bail.

4.The learned Government Advocate (Crl.Side),on instructions, would submit that there are totally nine accused in this case. He further submitted that the investigation is in preliminary stage and waiting for viscera report. Hence, he strongly opposed to grant bail to the petitioner.

5.Considering the facts and circumstances of the case and also the fact that the investigation is in preliminary stage and waiting for viscera report, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

sd/-
02/06/2021

/ 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 SUPERINTENDENT,
CENTRAL JAIL, TRICHY.
- 2 THE INSPECTOR OF POLICE,
THOTTIYAN POLICE STATION,
THOTTIYAM, TRICHY DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.6735 of 2021
Date :02/06/2021

aav
JM/VR/SAR I/04.06.2021/2P/4C

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