



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

Date : 04/06/2021

PRESENT

WEB COPY

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

CRL OP(MD) . No.7290 of 2021

Sukumar

... Petitioner/Accused No.6

Vs

The State rep.by
The Inspector of Police,
Melur Police Station,
Madurai District.
Crime No.245/2021.

... Respondent/Complainant

For Petitioner : Mr.R.Manickaraj,
Advocate.

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

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

PRAYER :-

For Bail in Crime no.245 of 2021 on the file of the respondent Police

ORDER : The Court made the following order :-

The petitioner/A6, who was arrested and remanded to judicial custody on 28.04.2021 for the offences punishable under Sections 147,294(b),302,323,427, 506(ii) of IPC and Section 4 of TNPHW Act in crime No.245 of 2021 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 24.02.2021 when the defacto complainant and his son were constructing shed in their vacant site near their house A1 along with other accused came there and there was a wordy quarrel, in which the petitioner along with other accused attacked the deceased with caused his death. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that the petitioner only attacked the deceased with hands and he never attacked him any weapons. He would also submit that A6 to A8 are practising advocates and they went to



the scene of occurrence after the occurrence to rectify the problem and helped to lodge complaint. He would also submit that the petitioner is in judicial custody from 28.04.2021, hence he may be granted bail.

4. The learned Government Advocate (Crl.Side) would submit that there are totally 8 accused in this case and the petitioner herein is arrayed as A6. He would further submit that A1 to A6 were arrested and remanded to judicial custody and A7, A8 are absconding. He would also submit that the investigation is not yet completed.

5. Taking into consideration the facts and circumstances of the case and also the fact that the investigation is in the preliminary stage and also the fact that A7 and A8 are still absconding, this Court is not inclined to grant bail to the petitioner at this stage.

6. Hence the petition stands dismissed.

sd/-
04/06/2021

/ 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 PRISON, MADURAI.
2. THE INSPECTOR OF POLICE,
MELUR POLICE STATION, MADURAI DISTRICT.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.7290 of 2021
Date : 04/06/2021

aav
AE/PN/SAR-III/09.06.2021/2P/4C