



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/09/2021

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD) . No.14254 of 2021

Periyasamy

... Petitioner/Accused No.8

Vs

State rep. by
The Inspector of Police,
Mandalamanickam Police Station,
Ramanathapuram District.
(Crime No.139 of 2021).

... Respondent/Complainant

For Petitioner : M/s.Ezhilarasu.C, Advocate.

For Respondent : M/s.A.Thiruvadi Kumar,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.139 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/accused No.8, apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 148, 341, 323, 324, 427 and 302 of IPC, in Crime No.139 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The learned counsel appearing for the petitioner would submit that on the date of occurrence, the deceased went in a two-wheeler along with one Thangapandi in a drunken mood. According to the wife of the deceased, the deceased has consumed liquor on that day and due to the same, he fell down and suffered injury and died. But the motive between the deceased and some of the villagers of the petitioner, the accident has been converted into murder case. The



petitioner's name has not been mentioned in the FIR and based on the confession statement given by A1, this petitioner has been arrayed as accused.

3. He would further submit that the this petitioner is one of the players in the Cricket team of A1 and all the 12 accused are the members of the cricket club and they have been falsely implicated in this case. He would also submit that there is no reference in the complaint about the said Thangapandi, who accompanied the deceased at the time of occurrence.

4. The learned Additional Government Pleader appearing for the respondent would submit the petitioner and other accused went to the village of the deceased for playing cricket and at that time, A1 misbehaved with a woman viz., Kaleeswari, which was objected to by the villagers and the deceased and other persons have tied A1 and also beaten him. This petitioner, who is also a friend of A1, along with other accused conspired together and attacked the deceased when he went to village in a night hours.

5. He would further submit that the investigation is in crucial stage and almost all the accused have been secured. Accused Nos.3,9 & 10 were arrested and released on bail. If the petitioner is released on bail, there is every possibility of tempering the evidences.

6. The occurrence has taken place on 29.07.2021. Earlier, the deceased assaulted the A1 for having misbehaved with the woman and as a revenge, this occurrence had happened. Admittedly, this petitioner is a member of cricket team of A1 and he is also a friend of A1.

7. Considering the nature of offence and also considering the fact that the investigation is at crucial stage, this Court is not inclined to grant bail to petitioner. Hence, this Criminal Original Petition is dismissed.

sd/-
24/09/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.II)
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,
Mandalamanickam Police Station,
Ramanathapuram District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN
CRL OP (MD) No.14254 of 2021
Date :24/09/2021

SP/VR/SAR II/04/10/2021/3P/3C