



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

Date : 11.11.2021

PRESENT

The Hon'ble Mr.Justice **K.MURALI SHANKAR**

CRL OP(MD) . No.16827 of 2021

WEB COPY

Mari @ Manikandan

... Petitioner/Accused No.6

Vs

The State Rep.by
The Inspector of Police,
Ambasamudram Police Station,
Tirunelveli District.
(Crime No.402 of 2021)

... Respondent/Complainant

For Petitioner : Mr.S.Sathyachidambaram
Advocate.

For Respondent : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.402 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 24.09.2021 for the offences punishable under Sections 147, 148, 341, 294(b), 302 and 506(ii) IPC, in Crime No.402 of 2021 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the de-facto complainant is the mother of the deceased. Due to previous enmity between the petitioner and the de-facto complainant, on 15.09.2021, the petitioner and other accused have waylaid the deceased and his mother, A1 to A3 attacked the deceased with aruval and caused death to him. 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 is in judicial custody from 24.09.2021. Hence, he seeks bail.

4.The learned Additional Public Prosecutor appearing for the respondent police strongly opposed this petition on the ground that the petitioner herein was very much present in the occurrence place and actively involved in the commission of offence. He would further submit that after registering this case, the petitioner has



committed another offence in Crime No.404 of 2021 and that the investigation is yet to be completed.

5.Considering the seriousness and gravity of the offence alleged and also the facts that the petitioner is in judicial custody from 24.09.2021, that the investigation is yet to be completed and that after registration of the First Information Report, another case came to be registered against the petitioner in Crime No.404 of 2021 for the offences punishable under Sections 147, 148, 341, 294(b), 307, 387 and 506(2) IPC, pending on the file of the same police Station as stated by the learned Additional Public Prosecutor, this Court is not inclined to grant bail to the petitioner at that point of time.

6.Accordingly, this Criminal Original Petition is dismissed.

sd/-
11/11/2021

/ TRUE COPY /

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

SJI

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,
Ambasamudram Police Station, Tirunelveli District.
- 2.The Superintendent, Central Prison, Palayamkottai.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.16827 of 2021
Date :11/11/2021

RD/CN/SAR-I(17.11.2021) 2P 4C