



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Sixth day of January Two Thousand Twenty Two

PRESENT

The Hon`ble Mrs Justice T.V.THAMILSELVI

CRIMINAL ORIGINAL PETITION No.166 of 2022

VIJAY @ JAYASURYA

[PETITIONER]

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
K-9, T.V.K. NAGAR POLICE STATION,
CHENNAI.
CRIME NO.1084 OF 2021.

For Petitioner : M/S.J.SAMIULLAH, Advocate

For Respondent : MR.N.S.SUGANTHAN, Govt. Advocate (Crl. Side)

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

(The case has been heard through video conference)

The petitioner who was arrested and remanded to judicial custody on 28.10.2021 for the offences under **Sections 147, 148, 302 IPC**, in Crime No.1084 of 2021, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on the date of occurrence, the petitioner along with other accused entered into the house of the defacto complainant and assaulted the defacto complainant and his friends. At that time, one Mani, the friend of the defacto complainant tried to escape from that place. But the accused chased and caught hold of him and forcibly taken him in their bike and the defacto complainant and his friends followed them and went near T.V.K. Nagar Corporation School Ground where they found the said Mani with severe injuries. Immediately, they taken him to the hospital where he was declared as brought dead. Hence, the complaint.



3.The learned counsel for the petitioner would submit that the petitioner is no way connected with the alleged offence and he has been falsely implicated in this case based on the confession of the co-accused. He would further submit that the petitioner has been suffering incarceration for 70 days from 28.10.2021 and hence, he would pray for grant of bail to the petitioner.

4.The learned Government Advocate (Crl. Side) would raise strong objection stating that there are totally 8 accused in this case and the petitioner is arrayed as A6 and he also actively participated in the offence and that A1 to A7 have been arrested and remanded to judicial custody. He would further submit that A8 who is a juvenile has been released on bail and that the investigation has not been completed.

5. On seeing the gravity of offence and the fact that due to previous enmity, the occurrence had happened and a gang of persons are involved in this case and the investigation has not been completed. Hence, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

06/01/2022

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE INSPECTOR OF POLICE
K-9, T.V.K. NAGAR POLICE STATION,
CHENNAI.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL, CHENNAI.

CC to M/S.J.SAMIULLAH, Advocate on payment of necessary charges

CRL OP.166/2022

Date :06/01/2022

TA-20/01/2022