



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Wednesday, the Twelfth day of January Two Thousand Twenty Two

PRESENT

The Hon`ble Mrs Justice T.V. THAMILSELVI
CRIMINAL ORIGINAL PETITION No.775 of 2022

ARIES @ MOHAMMED ARIES

[PETITIONER / ACCUSED]

Vs

STATE REP BY
INSPECTOR OF POLICE,
TIRUPPUR CENTRAL POLICE STATION
(CRIME NO.1352/2021)

[RESPONDENT]

For Petitioner : M/S S.PANNEER SELVAM 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 petitioner who was arrested and remanded to judicial custody on 13.10.2021 for the offences under Section 397 of IPC and subsequently, altered to 302 IPC, in Crime No.1352 of 2021 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 13.10.2021, when the defacto complainant and the deceased were going to shop for purchasing provision, the petitioner along with other accused waylaid them and demanded money for drinking and when they refused the same, the accused attacked the deceased with knife in his chest and stomach due to which, he sustained injuries and admitted in the hospital and later on 26.10.2021, he died. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is no way connected with the alleged offence. He further submitted that this is the petitioner's second bail application and he has been falsely implicated in this case and that he has been suffering incarceration for more than 91 days from 13.10.2021. Hence, he would pray for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) would vehemently oppose stating that there are totally 4 accused involved in this case and the petitioner is arrayed as A2 and that the petitioner has also



accompanied the other accused and jointly attacked the deceased with knife and that the investigation has not been completed. He further submits that the petitioner's earlier bail petition was dismissed by this Court in CrI.OP.No.24889 of 2021 dated 20.12.2021.

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5. On seeing the grave nature of allegation levelled against the petitioner and the fact that the investigation has not been completed which needs detailed investigation, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

12/01/2022

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 SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE.

2 INSPECTOR OF POLICE,
TIRUPPUR CENTRAL POLICE STATION,
TIRUPPUR

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S S.PANNEER SELVAM Advocate on payment of necessary charges

CRL OP.775/2022

Date :12/01/2022

RVR 28/01/2022