



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Thirty First day of January Two Thousand Twenty Two

PRESENT

The Hon`ble Mrs Justice T.V. THAMILSELVI

CRIMINAL ORIGINAL PETITION No.1904 of 2022

1 GNANASEKARAN @ MOSES
2 TAMIZH @ PRAVEENKUMAR

[PETITIONERS / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
ARAMPAKKAM POLICE STATION,
THIRUVALLUR DISTRICT
CRIME NO.646 OF 2021

[RESPONDENT]

For Petitioners : M/S.GAYATHRI GANGADARAN, Advocate
M/S.P.CHANDRASEKAR, 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 petitioners who were arrested and remanded to judicial custody on 23.12.2021 for the offences under Sections 174 Cr.P.C. altered into Sections 147, 148, 109, 120(b), 201, 302 IPC in Crime No.646 of 2021, on the file of the respondent police seeks bail.

2. The case of the prosecution is that based on a information given by on Karthick, the defacto complainant/the Village Administrative Officer went to the spot behind the Garbage Dumping Yard and found traces of burying a human body. Subsequently, he lodged a complaint and the respondent police initially registered the case under 174 Cr.P.C. During enquiry, it was found that the petitioner along with other accused planned and kidnapped the deceased and murdered him. Hence, the complaint.



3. The learned counsel for the petitioners submitted that the petitioner are no way connected with the alleged offence and they were not present in the scene of occurrence and they have been falsely implicated in this case since they happened to be the friends of A1 and that the petitioners have been suffering incarceration for more than 35 days from 23.12.2021. Hence, he would pray for grant of bail to the petitioners.

4. The learned Government Advocate (Crl. Side) would raise strong objection stating there are totally 9 accused in this case and the petitioners are arrayed as A3 and A4. The deceased and A8 were having love affair and the deceased used to torture her and hence, A8 asked for help from A7. Subsequently, A7 along with other accused planned and committed the murder of the deceased and thereafter, in order to screen the offence buried the body. In this case A7 to A9 are juveniles and they are absconding and that the investigation is at the initial stage.

5. On seeing the gravity of offence and the investigation is at the initial stage and there is possibility of the petitioners getting abscond and tampering the evidence and that 3 more accused are yet to be secured. Hence, this Court is not inclined to grant bail to the petitioners. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
31/01/2022

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,
ARAMPAKKAM POLICE STATION,
THIRUVALLUR DISTRICT

2 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL.



3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.P.CHANDRASEKAR
charges

Advocate on payment of necessary

CRL OP.1904/2022

Date :31/01/2022

JPA 10/02/2022