



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the First day of February Two Thousand Twenty Two

PRESENT

The Hon`ble Mrs Justice T.V.THAMILSELVI

CRIMINAL ORIGINAL PETITION No.2214 of 2022

1 KALAIYARASAN [PETITIONERS / ACCUSED]
2 SATHISH
3 NANDAKUMAR @ NANDHAKUMAR

Vs

THE STATE REP BY [RESPONDENT]
THE INSPECTOR OF POLICE,
NEMILI POLICE STATION,
NEMILI TALUK,
RANIPET DISTRICT.
(CRIME NO.398/2021)

For Petitioner : M/S.B.SRIDHAR 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 17.12.2021 for the offences under Sections 147, 148, 294 (b), 341, 506(ii) and 302 IPC read with 3(1) of PPD Act 1984 in Crime No.398 of 2021, on the file of the respondent police, seek bail.

2. The case of the prosecution is that the daughter of A1 and the deceased were in love with each other and the same was opposed by A1 and his wife. Hence, the daughter of A1 committed suicide before 2 years. Hence, there was enmity between them. While so, on 16.12.2021 at 11 p.m., the deceased drove a JCB and damaged the compound wall and front gate of A1's house. On hearing the noise, A1, A2 and the petitioners came out and attacked the deceased by using deadly weapons due to which, the sustained injuries and died on the next day I.e. 17.12.2021. Hence, the case.



3.The learned counsel for the petitioners would submit that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case and the petitioners have been suffering incarceration for more than 45 days from 17.12.2021. Hence, he pray for grant of bail to the petitioners.

4.The learned Government Advocate (Crl. Side) would raise strong objection stating that there are totally 5 accused in this case and the petitioners are arrayed as A3 to A5 and they are neighbours of A1 and A2 who are father and son and that they also associated A1 and A2 and attacked the deceased. He would further submit that the deceased and the daughter of A1 were in love with each other and since it was opposed by A1, the daughter of A1 committed suicide. Thereafter, the deceased married another girl and hence, on the date of occurrence, A1 and A2 along with the petitioners chased the deceased while he was driving JCB and attacked him with deadly weapons and thereby, he sustained injuries and died. He would further submit that the deceased is an handicapped as one of his leg got amputated during an accident and thereby, he was unable to get down from the JCB and escape from the attack made by the accused and thereby, he sustained severe injuries and subsequently died and that the investigation has not been completed.

5. On seeing the gravity of offence and that the investigation has not been completed, this Court is not inclined to grant bail to the petitioners. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

01/02/2022

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,
NEMILI POLICE STATION,
NEMILI TALUK,
RANIPET DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.



3 THE SUPERINTENDENT,
CENTRAL PRISON, VELLORE.

CC to M/S.B.SRIDHAR Advocate on payment of necessary charges

CRL OP.2214/2022

Date :01/02/2022

TA-09/02/2022