



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Twenty Eighth day of January Two Thousand Twenty Two

PRESENT

The Hon`ble Mrs Justice T.V. THAMILSELVI

CRIMINAL ORIGINAL PETITION No.1893 of 2022

E.JAGANATHAN

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
ARAMBAKKAM POLICE STATION,
ARAMBAKKAM, TIRUVALLUR DISTRICT.
(CRIME NO.646 OF 2021).

[RESPONDENT]

For Petitioner : MR.PONNAM BALATHIYAGARAJAN, Advocate for
M/S.S.AMBIGAPATHI, 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 23.12.2021 for the offences under Sections 174(1) Cr.P.C. altered into Sections 302, 147, 148, 362, 120(b), 109, 149, 201 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(1) 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 petitioner submitted that the petitioner is no way connected with the alleged offence and he has no connected with the accused 1, 2, 3, 7 and 9. Infact, the petitioner had called the A4 and A6 who are his friends for inviting them to his birthday and the petitioner has bene falsely implicated in this case since he had called the said accused over phone before the date of occurrence and that the petitioner has been suffering incarceration for more than 35 days from 23.12.2021. Hence, he would pray for grant of bail to the petitioner.

4.The learned Government Advocate (Crl. Side) would raise strong objection stating there are totally 9 accused in this and all have been arrested and that the petitioner is arrayed as A5. The deceased used to torture A8 by showing obscene photos and hence, she asked for help from A7. Subsequently, A7 along with other accused committed the murder of the deceased and thereafter, in order to screen the offence buried the body. In this case A7 to A9 of juveniles and that the investigation is at the initial stage.

5.On seeing the gravity of offence and that the investigation is at the initial stage, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
28/01/2022

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,
ARAMBAKKAM POLICE STATION,
ARAMBAKKAM, TIRUVALLUR DISTRICT.

2 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAI, CHENNAI.



3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.S.AMBIGAPATHI
charges SR.NO.1511

Advocate on payment of necessary

CRL OP.1893/2022

Date :28/01/2022

JPA 08/02/2022