



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Second day of February Two Thousand Twenty Two

PRESENT

The Hon`ble Mrs Justice T.V.THAMILSELVI

CRIMINAL ORIGINAL PETITION No.2294 of 2022

BALA

[PETITIONER / ACCUSED]

Vs

THE STATE REP.BY ITS
THE INSPECTOR OF POLICE,
KATPADI POLICE STATION,
VELLORE DISTRICT.
(CRIME NO.637 OF 2021)

[RESPONDENT]

For Petitioner : M/S.S.RAJA RAVI VARMA Advocate

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

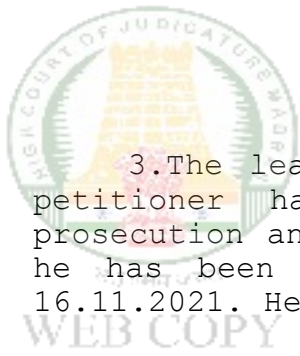
PETITION FOR BAIL Under Sec. 439 Cr.P.C.

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 16.11.2021 for the offences under Section Man Missing @ under Sections 147, 148, 294(b), 342, 302, 201 & 120(b) of IPC in Crime No.637 of 2021, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 14.11.2021, the son of the defacto complainant and one Vijay @ Senthil were found missing. Hence, the police traced the mobile phone contacts intracted with A1 and the investigation revealed that the deceased Nesakumar and A1 are friends and on the date of occurrence, both the deceased went to the scene of occurrence where altercation took place between the accused and the deceased persons during which, one of the accused namely Bala attacked the deceased Nesakumar with knife on the neck and jaw and when the other accused namely Naveen caught hold of the deceased Vijay @ Senthil, the accused Bala attacked on his head by using knife and caused the murder. Thereafter, all the accused poured petrol on the dead bodies and set ablaze and after tried the corpse with ebony, thrown into the Palar river. Hence, the complaint.



3. The learned counsel for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case and that he has been suffering incarceration for more than 75 days from 16.11.2021. Hence, he pray for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) would raise strong objection stating that it is a case of double murder. He would further submit that the accused attacked both the deceased and committed the murder and there after poured petrol and set ablaze on the dead bodies and thereafter, thrown the bodies in the river. He would further submit that the corpse have not been secured and the investigation has not been completed.

5. On seeing the grave nature of offence and the investigation has not been completed and still the corpse of the deceased persons have not been secured. Therefore, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

02/02/2022

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,
KATPADI POLICE STATION,
VELLORE DISTRICT.

2 THE SUPERINTENDENT,
CENTRAL PRISON, VELLORE DISTRICT.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.M.SATHISH KUMAR Advocate on payment of necessary charges

CRL OP.2294/2022

Date :02/02/2022

CSK 16/02/2022