



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Twenty Second day of April Two Thousand Twenty Two

PRESENT

The Hon`ble Mrs Justice T.V. THAMILSELVI

CRIMINAL ORIGINAL PETITION No.5910 of 2022

RAMESH PATEL

[PETITIONER / ACCUSED]

Vs

THE INSPECTOR OF POLICE
SIRKALI POLICE STATION,
MAYILADUTHURAI DISTRICT.
CRIME NO.151 OF 2021.

[RESPONDENT]

For Petitioner : M/S.R.THAMARAI SELVAN Advocate

For Respondent : M/S.L.BASKARAN, Government Advocate (Crl.Side)

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who was arrested on 27.01.2021 and remanded to judicial custody for the alleged offences punishable under Sections 397, 307, 302, 120(B), 449, 342, 324, 394, 506(ii), 34, 109 IPC 25(1) (a) Arms Act 1959, in S.C.No.168 of 2021 on the file of the learned Additional District Judge, Mayiladuthurai in Crime No.151 of 2021, on the file of the respondent police, seeks bail.

2. This is the second bail application was filed before this Court. The case of the prosecution is that the defacto complainant is running a pawn broker and jewellery shop in Sirkali. On 27.01.2021, three persons entered into the house of the defacto complainant forcibly with Aruval and Gun and assaulted the defacto complainant, his son, daughter-in-law and his wife and committed theft of jewels and cash kept in his house and during the assault, the defacto complainant's wife and son died. Hence, the complaint.



3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he is no way connected with the alleged offences and he has been falsely implicated in this case. He further submitted that the petitioner has been in jail from 27.01.2021. Hence he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Crl.Side) submitted that a gang of persons are involved in this case and most of them belong to Rajasthan. It is a case of murder for gain and during the incident, the accused have killed wife and son of the defacto complainant. He further submitted that the investigation has been completed and the charge sheet has also been filed. He further submitted that earlier bail application was dismissed by this Court in Crl.O.P.No.1615 of 2022 dated 27.01.2022 and there is no change of circumstances. He further submits that there is serious allegation made against the petitioner. Hence, he vehemently opposed for grant of bail to the petitioner.

5. This Court is of the view that on perusal of the FIR, there is serious allegation made against the petitioner and earlier application was dismissed by this Court, there is no change of circumstances, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed, however considering the petitioner are in judicial custody, trial Court is directed to complete the trial in S.C.No.168 of 2021 within a period of three months from the date of receipt of a copy of this order.

-sd/-

22/04/2022

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 ADDITIONAL DISTRICT JUDGE,
MAYILADUTHURAI.

2 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.

3 THE INSPECTOR OF POLICE
SIRKALI POLICE STATION,
MAYILADUTHURAI DISTRICT.



4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

WEB COPY

CC to M/S.R.THAMARAI SELVAN Advocate on payment of necessary charges

CRL OP.5910/2022

Date :22/04/2022

RW 17/05/2022