



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Twelfth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice A.A. NAKKIRAN

CRIMINAL ORIGINAL PETITION No.11173 & 11184 of 2022

1 RAMAR [PETITIONERS / ACCUSED
2 RAJENDRAN IN BOTH THE PETITIONS]

Vs

STATE REP BY [RESPONDENT
THE INSPECTOR OF POLICE, IN BOTH THE PETITIONS]
THALAIVASAL POLICE STATION,
SALEM DISTRICT.
CRIME NOS.86 & 85/2022

For Petitioner : M/S.M.ELIYARAJA Advocate [IN BOTH THE PETITIONS]

For Respondent : MR.L.BASKARAN, Govt. Advocate (Crl. Side)
(CRL.O.P.NO.11173/2022)

For Respondent : M/S.A.GOPINATH, Govt. Advocate (Crl. Side)
(CRL.O.P.NO.11184/2022)

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners in Crl.O.P.No.11173 of 2022 were arrested and remanded to judicial custody on 01.03.2022 for the alleged offence punishable under Sections 147, 148, 448, 294(b), 380, 379, 302 and 120B IPC r/w Section 3 (1) of Prevention of Damage to Public Property Act 1984, in Crime No.86 of 2022 on the file of the respondent police seek bail.

2.The petitioners in Crl.O.P.No.11184 of 2022 were arrested and remanded to judicial custody on 01.03.2022 for the alleged offence punishable under Sections 147, 447 and 506 (i) IPC r/w Section 3 (1) of Prevention of Damage to Public Property Act 1984, in Crime No.85 of 2022 on the file of the respondent police seek bail.



3.The case of the prosecution is that, on 01.03.2022 due to previous enmity with regard to the execution of unregistered sale deed, the petitioners have entered into an agricultural land of the defacto complainant and ransacked, demolished the entire house, damaged the crops and pipelines of the complainant. The petitioners have also trespassed into the house of the defacto complainant and attacked his sister with wooden stick, due to which, she has sustained injury and succumbed to death. Hence the complaint.

4.Learned counsel for the petitioners would submit that the petitioners are innocent and they have been falsely implicated in this case. He would further submit that the petitioners are ready and willing to abide by any stringent condition they may be imposed by this Court as they are facing incarceration from 01.03.2022.

5.Learned Government Advocate (Crl.Side) would vehemently oppose stating that it is a pre-planned murder. The petitioners have jointly damaged the properties of the defacto complainant and also attacked his sister, due to which she sustained grievous injury and died without responding to the treatment. He added that the investigation is in crucial stage and tension prevails in that area. Some of the accused in this case viz. A5, A6, A9 are yet to be secured by the respondent police. The damage is assessed to Rs.5 lakhs.

6.Considering the gravity of offence committed by the petitioners and also considering the fact that tension prevails in the area where the petitioners reside this Court is not inclined to grant bail to the petitioner. The Criminal original petition stands dismissed accordingly.

-sd/-
12/05/2022

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,
THALAIVASAL POLICE STATION,
SALEM DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.



3 THE SUPERINTENDENT,
CENTRAL JAIL, SALEM DISTRICT.

+2 CC to M/S.M.ELIYARAJA Advocate on payment of necessary
charges SR.NO.7055, 7056

CRL OP.11173 & 11184/2022

Date :12/05/2022

TA-13/05/2022