



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Wednesday, the Twenty Ninth day of June Two Thousand Twenty Two
PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN
CRIMINAL ORIGINAL PETITION No.14959 of 2022

SELVA KUMAR

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY ITS,
THE INSPECTOR OF POLICE,
KOLATHUR POLICE STATION,
SALEM DISTRICT
CR.NO.137 OF 2022.

[RESPONDENT]

For Petitioner : M/S.C.DEEPAK KUMAR Advocate

For Respondent : MR.A.DAMODARAN, ADDITIONAL PUBLIC PROSECUTOR

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner/A1, who was arrested and remanded to judicial custody on 06.05.2022 for the offences punishable under Section 302 of IPC in crime No.137 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner was working in a private company at Chennai and the defacto complainant's relative one, Kavitha was married to the petitioner. After the marriage, there was family dispute between them and his wife left to her parental home. Thereafter, she called the defacto complainant's son to help her in taking her materials from the matrimonial home. Therefore, the said person came and broke the lock of the petitioner's house for taking the materials. In this regard, on 03.05.2022, there was a wordy quarrel aroused between them. On 04.05.2022, the petitioner murdered the said person. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the deceased died in suspicious manner only. Therefore, he seeks for grant of bail to the petitioner.



4. The learned Additional Public Prosecutor would submit that there are totally two accused and the petitioner is arrayed as A1. On the date of occurrence, the petitioner assaulted the deceased with iron rod on head. He would further submit that the investigation is still pending since the petitioner was arrested only on 06.05.2022. Hence, he vehemently opposed to grant bail to the petitioner.

5. It is seen that there is a family dispute between A1 and his wife. On the date of occurrence, the petitioner assaulted the deceased with iron rod on head, due to which he sustained grievous injuries and died. There is a specific overt act as against the petitioner. Further, the investigation is still pending, since the petitioner was arrested only on 06.05.2022. Further, the petitioner already filed bail petition in Crl.OP.No.13197 of 2022 and this Court by order dated 08.06.2022, dismissed the same and this is the second bail petition. However, there is no change of circumstances in this case. Therefore, this court is not inclined to grant bail to the petitioner.

6. Accordingly, this criminal original petition is dismissed.

-sd/-

29/06/2022

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 SUPERINTENDENT,
CENTRAL PRISON, SALEM

2 THE INSPECTOR OF POLICE,
KOLATHUR POLICE STATION,
SALEM DISTRICT

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.14959/2022

Date :29/06/2022

RVR 06/07/2022