

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Seventh day of July Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.15636 of 2022

1 C.MARI @ MARIAPPAN [PETITIONERS / ACCUSED]
2 K.JOHNSON
3 S.SIVA @ SIVANANTHAM
4 D.AATHIAPPAN
5 K.SENTHIL

Vs

STATE REP BY [RESPONDENT]
THE INSPECTOR OF POLICE,
UDUMALPET POLICE STATION,
TIRUPPUR DISTRICT.
(CRIME NO.277 OF 2022)

For Petitioner : M/S.R.SASIKUMAR Advocate

For Respondent : MR.A.DAMODARAN, Additional public Prosecutor

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who were arrested and remanded to judicial custody on 22.05.2022 for the offences punishable under Sections 147, 148, 294(b), 324 and 302 of IPC in crime No.277 of 2022 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the petitioners along with some other persons murdered the defacto complainant's son due to money dispute. Hence, the case.

3. The learned counsel for the petitioner would submit that the real fact is that the second accused received a sum of Rs.30,000/- from one, Valarmathi and on 22.05.2022, the husband of the said Valarmathi and the deceased went to the house of A2 and demanded money. But A2 and her husband started quarrelling with them. At that

time, A1 and his friends assaulted the deceased. He would further submit that only on suspicion, the petitioner were arrested and they are no way connected to this case. Hence, he seeks for grant of bail of the petitioners.

4. The learned Additional Public Prosecutor submitted that on the date of occurrence, the deceased and the husband of one Valarmathi went to the house of A2 to demand their money. At that time, there was a wordy quarrel, pursuant to which the accused persons attacked the deceased, thereby he sustained injuries and thereafter died. He would further submit that the first petitioner, who has three previous cases, attacked with knife on ear, the second petitioner, who has four previous cases, attacked with iron rod on head, the third petitioner, who has one previous case, attacked with iron rod on face, the fourth petitioner, who has one previous case, attacked with knife on the neck, and the fifth petitioner, who has two previous cases, attacked with iron rod on head. Hence, he vehemently opposed to grant bail to the petitioners.

5. It is seen that though the petitioners are neighbours to A1 and A2 , they have bad antecedents and it seems that they intentionally murdered the deceased by brutally attacking the deceased with iron rod and knife. As such, they have specific overt act. Therefore, this Court is not inclined to grant bail to the petitioners. Accordingly, this criminal original petition is dismissed.

-sd/-
07/07/2022

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,
UDUMALPET POLICE STATION,
TIRUPPUR DISTRICT.

2 THE SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.15636/2022

Date :07/07/2022

JPA 19/07/2022