



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Fifth day of January Two Thousand Twenty Two

PRESENT

The Hon`ble Mrs Justice T.V.THAMILSELVI

CRIMINAL ORIGINAL PETITION No.25548 of 2021

M.APPU @ MADHAVAN

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
V-5 THIRUMANGALAM POLICE STATION,
CHENNAI-600 101.
(CRIME NO.685/2021)

[RESPONDENT]

For Petitioner : M/S.S.KINGSTON JEROLD Advocate

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

PETITION FOR BAIL 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 15.11.2021 for the offences under Sections 294(b), 324, 506(ii) of IPC altered to 294(b), 324, 302 and 506(ii) of IPC, in Crime No.685 of 2021, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner along with other accused entered into a wordy quarrel with one Magesh and others on 04.11.2021 during which, the accused persons attacked them with iron rod and stones due to which, the said Magesh sustained severe injuries and he was admitted in KMC hospital, Chennai. Initially, the case was registered for the offence under Sections 294(b), 324, 506(ii) of IPC and subsequently, on 13.11.2021, the said Magesh died in the hospital. Hence, the case was altered into Sections 294(b), 324, 302 and 506(ii) of IPC.



3.The learned counsel for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution and that the petitioner's name is not in the FIR and he has been falsely implicated in this case. He would further submit that the petitioner has been suffering incarceration for more than 50 days from 15.11.2021. Hence, he would pray for grant of bail.

4.The learned Government Advocate (Crl. Side) would raise strong objection stating that there are totally 13 accused involved in this case and all the accused were arrested on 16.11.2021 and that out of wordy quarrel, the accused attacked the victim with iron rod due to which, the victim sustained injuries and admitted in the hospital and 9 days later, the injured died.

5. It is seen that a gang of persons are involved in this case and on seeing the gravity of the offence, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed

-sd/-
05/01/2022

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,
V-5 THIRUMANGALAM POLICE STATION,
CHENNAI-600 101.

2 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.S.KINGSTON JEROLD Advocate on payment of necessary charges

CRL OP.25548/2021

Date :05/01/2022

CSK 20/01/2022