



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07/02/2022

WEB COPY

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD) . No.1533 of 2022

Gopu

... Petitioner/Accused No.3

Vs

The State rep.by
The Inspector of Police,
Cholachel Police Station,
Kanyakumari District.
Cr.No.528 of 2021.

... Respondent/Complainant

For Petitioner : Mr.K.P.NARAYANAKUMAR,
Advocate.

For Respondent : Mr.E.ANTONY SAHAYA PRABAHAR,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

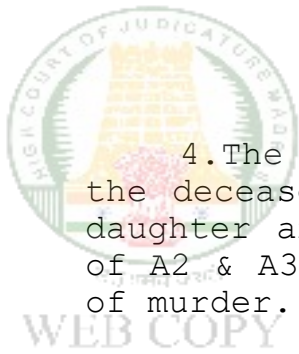
PRAYER :- For Bail in Crime No.528 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused, who was arrested and remanded to judicial custody on 08.12.2021 for the offences punishable under Sections 109, 302, 34 IPC in Crime No.528 of 2021 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 06.11.2021 at about 08.10PM, while the *defacto* complainant's father was talking with one person in front of his house, the accused persons assaulted him with aruval on his head and all over his body and due to the injuries he died on the spot. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent and he has been falsely implicated in this case. He would further submit that based on the confession statement of the co-accused, he was arrayed as accused in this case. The petitioner is in judicial custody from 08.12.2021. Hence, he seeks bail.



4.The learned Additional Public Prosecutor would submit that the deceased was a drunkard and he never took care of his wife and daughter and made quarrel with them and due to that, with the help of A2 & A3, the daughter of the deceased, ie., A1 executed the plan of murder.

5.In this case, the *defacto* complainant was subsequently arrayed as first accused, who arranged the second and third accused for murdering her own father.

6.Considering the seriousness and gravity of the offence alleged and also the facts that the first accused gave Rs.10,000/- to A2 & A3 for murdering her own father and that the investigation is pending, as stated by the learned Additional Public Prosecutor, this Court is not inclined to grant bail to the petitioner.

7.Accordingly, this Criminal Original Petition is dismissed.

sd/-
07/02/2022

/ TRUE COPY /

/ /2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note :In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

TO

- 1 THE INPSECTOR OF POLICE
CHOLACHEL POLICE STATION,
KANYAKUMARI DISTRICT.
- 2 THE OFFICER INCHARGE,
DISTRICT JAIL, NAGERCOIL.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER IN

CRL OP(MD) No.1533 of 2022
Date :07/02/2022

SA/VR/SAR.3/14.02.2022/2P/4C