



WEB COPY

Crl.OP(MD)N



22

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Dated: 29/07/2022

PRESENT

The Hon'ble Mr.Justice **G.ILANGO VAN**

Crl.OP(MD)No.13064 of 2022

Dharunbalaji @ Tharun Balaji : Petitioner/Accused Rank not known

Vs.

The State rep. By
The Inspector of Police,
Kumbakonam East Police Station,
In Crime No.326 of 2022.
Thanjavur District.

: Respondent/Complainant

For Petitioner : Mr.R.Maheswaran

For Respondent : Mr.R.M.Anbunithi
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.326 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order:-

The petitioner, who is arrayed as an accused was arrested, on 31/05/2022 and remanded to judicial custody for the alleged offences punishable under sections 147, 148, 342 and 302 IPC, in Crime No.326 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 31/05/2022, the de-facto complainant along with his brother and others attended the funeral ceremony in North Street at about 5.30 am and his son by name Dinakaran and his friend Prakadeesh and Deepan went east-west. At that time, one Vijaya Kumar, Karthi and others, totally six persons came in two wheelers and asked the whereabouts his son. They have also threatened that they will do away his son. Out of fear, they followed the above said six persons. At about 5.45 am, the accused Manikandan, Vijaya Kumar, Deenadhayalan and Tamil Arasan came with aruval and caused severe injuries to Dinakaran. At that time, Sibiraj was pulled his legs and Ulli @ Santhosh got holded his hands. The deceased died on the spot. Based upon the above said complaint, the case has been registered.



3. Seeking bail, this petition has been filed by the petitioner on the ground that his name is not mentioned in the FIR and only based upon the confession statement of the co-accused, he has been arrayed as an accused and ever-since from the date of arrest, he is in custody.

4. The entire CD file has been called for and perused. Perusal of the CD file shows that a brutal murder has been committed upon the deceased for unknown reason. So the contention on the part of the petitioner that his name is not mentioned in the FIR is not correct, since there is a specific allegation to the effect that this petitioner was also holding the legs of the deceased tightly, when the above said brutal murder was committed by the co-accused.

5. So I find no merit in this petition. The brutal murder of this nature must be thoroughly investigated. Accordingly, this criminal original petition is **dismissed**.

sd/-

29/07/2022

/ TRUE COPY /

/08/2022

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

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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 Inspector of Police,
Kumbakonam East Police Station,
Thanjavur District.
2. The Officer In-Charge,
Sub Jail, Thanjavur.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER

IN

CRL OP(MD) No.13064 of 2022

Date : 29/07/2022

RD/SVR/SAR-IV(11/08/2022) 2P 4C

<https://www.mhc.tn.gov.in/judis>