



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Criminal Jurisdiction )

Date : 11/11/2022

PRESENT

**The Hon`ble Mr.Justice A.A.NAKKIRAN**

CRL OP(MD). No.17456 of 2022

WEB COPY

Rajkumar @ Kumili Rajkumar

... Petitioner/5<sup>th</sup> Accused

Vs

The State Rep. By,  
The Inspector of Police,  
Lalapettai Police Station,  
Karur District.  
Crime No.399 of 2021

... Respondent/Complainant

For Petitioner : M/s.Apn Law Associates,  
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 Cr No.399/2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/5<sup>th</sup> Accused, who was arrested and remanded to judicial custody on 13.10.2021 for the offences punishable under Sections 302, 109, 120(B), 341, 148 and 212 of IPC, in Crime No.399 of 2021 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner is the State Leader of Deivendra Kula Iyakkam, which was founded in the year 2009 and the deceased namely Gopal @ Gopalakrishnan was appointed by the petitioner/A5 as in-charge of the said Iyakkam for Karur District. Thereafter, a misunderstanding arose between the accused and the deceased, due to which, on 06.10.2021, the deceased was murdered. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is a State Leader of Deivendra Kula Iyakkam. Only in order to spoil his name and his political party, this false case has been registered. He would further submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Further, the petitioner is in judicial custody from 13.10.2021 and the investigation in this case has been completed and charge sheet has also been filed. It was taken on file in S.C.No.30 of 2022 before the Principal District and Sessions Judge, Karur.

<https://www.mca.gov.in/judis> Hence, he may be granted bail.



4.The learned Additional Public Prosecutor appearing before the respondent police opposed for grant of bail to the petitioner stating that it is a case of retaliation of murder and there are 11 accused in this case and all the accused were involved in several cases. He would further submit that the petitioner is a history sheeter and if the petitioner is released on bail, there is every possibility of tampering the prosecution witnesses. Further, the investigation in this case has been completed and charge sheet has also been filed and the same was taken on file in S.C.No.30 of 2022 before Principal District and Sessions Judge, Karur.

5.Considering the facts and circumstances of the case and considering the fact that the offences alleged to have been committed by the petitioner are serious in nature and also the objection raised by the prosecution and the bad antecedents of the petitioner, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed. However, the learned Principal District and Sessions Judge, Karur, is directed to complete the trial and dispose of the case within a period of three months from the date of receipt of a copy of this order. If the trial Court fails to complete the trial within the time specified by this Court, the petitioner is at liberty to approach this Court for considering bail application.

sd/-

11/11/2022

/ TRUE COPY /

/11/2022

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

TO

1. THE PRINCIPAL DISTRICT AND SESSIONS JUDGE,  
KARUR.
2. THE INSPECTOR OF POLICE,  
LALAPETTAI POLICE STATION,  
KARUR DISTRICT.
3. THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.17456 of 2022

Date :11/11/2022

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<https://www.mhcb.org.in/>

/25.11.2022/2P/4C