



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

Date : 23/11/2022

PRESENT

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

CRL OP(MD). No.20721 of 2022

Muthappan,

... Petitioner/Sole Accused

Vs

State Rep.by
The Inspector of Police,
Nilakottai Police Station,
Dindigul District.
Cr.No.305/2022

... Respondent/Complainant

For Petitioner : M/s.Kannan.V, Advocate

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

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

PRAYER :-

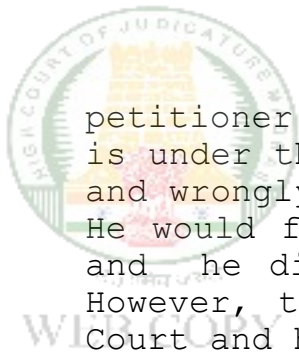
For Bail in Crime No. 305 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/Sole accused, who was arrested and remanded to judicial custody on 08.11.2022 for the offences punishable under Sections 302 and 324 of IPC @ Section 302 of IPC, in Crime No.305 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the deceased Selvam is the brother of the defacto complainant. The petitioner owned a garden full of coconut trees situated at Silkvarpatti Main Road, where the said Selvam was working as night watchman and stayed at a small house therein. On 02.11.2022, at about 7.00 p.m., the petitioner's son Jayaraj and his grandson Surya arrived at the garden to hand over the food for the petitioner, at that time, the body of the Selvam was found outside of the said house with injuries and the petitioner also found in unconscious condition with blood injuries, on enquiry, the respondent police found that the petitioner committed murder. Hence, the complaint.

3.The learned counsel for the petitioner would submit that
<https://www.mhcc.in/judis> foundation, the respondent police have impleaded the



petitioner as an accused in the present case. When the petitioner is under the control of seductive medicines, the police enquired him and wrongly decided that the petitioner is the accused of this case. He would further submit that the petitioner is an innocent person and he did not commit any offence as alleged by the prosecution. However, the petitioner shall abide any conditions imposed by this Court and he may be granted bail.

4. The learned Government Advocate (Crl.side) appearing for the respondent police would submit that this murder case was registered only on 02.11.2022 and the investigation is in initial stage and the custodial interrogation of the petitioner is very much necessary. If he is released on bail at this stage, there is more chance of tampering of witness. Hence, he strongly opposed for grant of anticipatory bail.

5. Considering the seriousness and gravity of the offence committed by the petitioner and also considering the strong objection raised by the Prosecution and the fact that the investigation is at the initial stage and custodial interrogation of the petitioner is very much necessary in this case, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, the Criminal Original Petition is dismissed.

sd/-

23/11/2022

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/12/2022

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

TO

1 THE INSPECTOR OF POLICE
NILAKOTTAI POLICE STATION, DINDIGUL DISTRICT.

2 THE OFFICER INCHARGE,
SUBORDINATE JAIL, DINDIGUL.

3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.V.KANNAN, Advocate (SR-13519[I] dated 23/11/2022)

ORDER

IN

CRL OP(MD) No.20721 of 2022

Date : 23/11/2022

cp

PKP/VR/SAR-2/05.12.2022/2P/5C

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