



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23/12/2022

WEB COPY

PRESENT

The Hon`ble Mr.Justice A.D.JAGADISH CHANDIRA

CRL OP(MD). No.22904 of 2022

S.Vel Murugan @ Murugan

... Petitioner/Accused No.9

Vs

State Rep.by
The Inspector of Police,
Sengottai, Puliyari Police Station,
Tenkasi District.
(Crime No.151 of 2022).

... Respondent/Complainant

For Petitioner : M/s. Ganeshan.M,
Advocate.

For Respondent : Mr.T.Senthil Kumar,
Additional Public Prosecutor

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

PRAYER :-

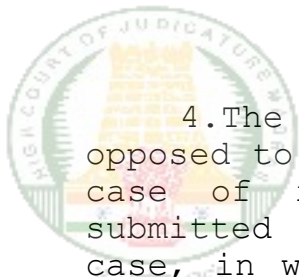
For Bail in Crime No.151 of 2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 23.11.2022 for the offences punishable under Sections 147, 342, 294(b), 307 and 506(ii) IPC in Crime No.151 of 2022, seeks bail.

2.The case of the prosecution as per the defacto complainant is that on 16.06.2022 at about 1.45 pm, when the defacto complainant was at his house, the petitioner herein and other accused asked him to come out and made a life threat to him. Hence, the complaint.

3.The learned counsel appearing for the petitioner submitted that the petitioner is innocent and he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submitted that the petitioner is in judicial custody from 23.11.2022. Hence, he seeks for grant of bail to the petitioner.



4.The learned Additional Public Prosecutor would v ly opposed to enlarge the petitioner on bail on the ground that it is a case of retaliation murder between the parties. He further submitted that the defacto complainant is a witness in the murder case, in which the petitioner is accused and that the accused have threatened him not to give evidence against them before the trial Court. When it was refuted by the victim, the petitioner and other accused have attempted to assault him with Aruval in order to kill the witness. He further submitted that if the petitioner is enlarged on bail that there is once again a possibility of threatening the witness. He further submitted that there are six previous cases pending against the petitioner and that the petition for bail in respect of the co-accused was dismissed by this Court earlier in Crl.O.P(MD).No.2593 of 2022 and hence, he opposes to enlarge the petitioner on bail.

5.Taking into consideration of the submission made by the learned counsels and that the petitioner has committed offence of serious nature and that there are six previous cases pending against the petitioner, this Court is not inclined to enlarge the petitioner on bail.

6.Accordingly, this Criminal Original Petition is dismissed.

sd/-

23/12/2022

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/01/2023

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

trp

TO

- 1 THE INSPECTOR OF POLICE, SENGOTTAI, PULIYARI POLICE STATION, TENKASI DISTRICT.
- 2 THE SUPERINTENDENT, CENTRAL JAIL, PALAYAMKOTTAI, TIRUNELVELI DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN

CRL OP(MD) No.22904 of 2022

Date :23/12/2022

RS/SSS/SAR.3(06.01.2023) 2P-4C