



WEB COPY

CRL OP(MD).



23

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 09/03/2023

PRESENT
The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.3582 of 2023

1. Sangili Poothaia @ Sangili Poothathar
2. Guru Sachin ... Petitioners/Accused No.5,6

Vs

The State Rep. by
The Inspector of Police,
Thalaisyuthu Police Station,
Tirunelveli District.
(Crime No.227 of 2021). ... Respondent/Complainant

For Petitioners : M/s.Velmurugan.M,
Advocate.

For Respondent : Mr.B.Nambiselvan,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.227 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners, who are arrayed as A5 and A6 were arrested, on 15.07.2021 and remanded to judicial custody for the alleged offences punishable under Sections 147, 148, 302, 120(B), 506(ii), 109, 212, 114, 149 and 34 of IPC in Crime No.227 of 2021, seeks bail.

2. The case of the prosecution is that the defacto complainant is the father of the deceased. He lodged a complaint stating that on 12.07.2021 at about 12.15 p.m, he was informed that his deceased son Kannan sustained grievous injury and lying near Pandarkulam area. He immediately went to the place of occurrence and found that he was lying in blood with injuries. He was taken to the hospital and where, he was declared to be dead. On the basis of the complaint, the case was registered and during the course of investigation, the involvement of the petitioners and other accused persons came to light and all the accused persons were arrested and remanded to

<https://www.mca21.com/judicial>



3. This is the third bail petition Earlier application filed by the petitioners in Crl.O.P(MD).No.9606 of 2022 was dismissed as withdrawn and crl.O.P(MD).No.14470 of 2022 was dismissed by this Court on 23.08.2022, on the ground that it is a case of retaliation and the specific overtact has been attributed against these petitioners.

4. Now, the present petition has been filed on the ground that the petitioners are in judicial custody for the past 1-1/2 years and several witnesses have been examined so far.

5. The learned Additional Public Prosecutor appearing for the respondent police submitted that because of the non-cooperation on side of the petitioners, the trial process could not completed, he has also produced the B-Diary extract.

6. Considering the facts and circumstances of this case, if they are released on bail, there is likelihood of absconding. Moreover, it is a case of retaliation. Therefore, this Court is not inclined to grant bail to the petitioners.

Accordingly, this Criminal Original Petition is dismissed.

sd/-
09/03/2023

/ TRUE COPY /

/06/2023

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

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TO

1. The Superintendent, Central Prison, Palayamkottai.
2. The Inspector of Police,
Thalayuthu Police Station,
Tirunelveli District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER

IN

CRL OP(MD) No.3582 of 2023

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