



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)



Thursday, the Second day of March Two Thousand and Twenty Three

PRESENT

WEB COPY

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

CRL OP(MD) No.3969 of 2023

Veeral Vetti @ Sundarapandi

... Petitioner/
Accused Rank not known

Vs

The Inspector of Police,
Amaiyanayakanur Police Station,
Dindigul District. Crime No.59 of 2020..

... Respondent/Complainant

For Petitioner : M/s.Alagumani R,

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

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

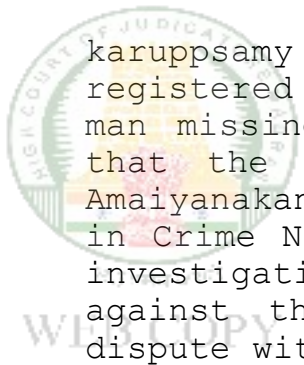
PRAYER :-

For Bail in Crime No.59 of 2020 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused, who was arrested and remanded to judicial custody on 14.02.2023, for the offence punishable under Section 174 of Cr.P.C @ 302 of IPC in Crime No. 59 of 2020, on the file of the respondent police, seeks bail.

2.The defacto complainant in this case is the Village Administrative Officer of Pallapatti Village. The case of the prosecution is that on 12.03.2020 at about 2.00 pm., while she was in duty in her office, she received information through her village Assistant that an unidentified male body aged about 25 to 30 years with fracture injuries on the left thigh was found laying with under wear, based on that she had given information to the respondent police and a case was registered in Crime No.59 of 2020 for the offence under section 174 of Cr.P.C. During the relevant period on the complaint given by one Manikandan that his son Praveen @



karuppsamy was missing from his home on 17.03.2022 can be registered by the Usilampatti Police in Crime No.2083 of 2020 for man missing. During the course of investigation it came to light that the dead body which was found within the limits of the Amaiyanakanur Police Station is the son of the defacto complainant in Crime No.2083 of 2020. The respondent police continued with the investigation and it came to light the accused persons having grudge against the deceased on account of financial dispute and also dispute with regard to dealing of drugs, committed the murder of the deceased and after committing the murder had removed the dress of the deceased had thrown the body within the limits of the Amaiyanakanur police station, hence the case.

3.The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has been arrested on suspicion and thereafter, he was subjected to third degree treatment and torture and while he was in custody, the respondent police has made allegations as if the mobile phone of the deceased was recovered from the petitioner at the time of arrest on 14.02.2023 and he is in custody. The co-accused one Manikandan has already been granted bail by this Court as per order in CrI.OP(MD)No.22950 of 2022 on 13.02.2023. Hence, prays to release him on bail.

4.The learned Additional Public Prosecutor appearing for the respondent would submit that on information that the body of the deceased was found within the jurisdiction of the respondent police, a case came to be registered under section 174 of Cr.P.C and later during the course of investigation, it was found that the petitioner along with other accused committed the murder on 12.03.2020 on account of enmity regarding a financial dispute and drug dealing and insofar as the missing complaint is concerned his father, being a villager, had given a complaint stating that his son was missing from 17.03.2020. Though there is some discrepancy in the date, now DNA has been done and the body of the deceased in this case tallies with the complainant in Crime No. 2083 of 2020 registered by the Usilampatti Town Police station. He would submit that the phone of the deceased has been recovered from the petitioner very recently on 14.02.2023. He would further submit that the First Information Report is not an encyclopedia. The investigation is in initial stage. Hence he objected to grant bail to the petitioner.

5.Heard. Perused the materials available on record including the First Information Report.

6.Taking into consideration the facts and circumstances of the case and considering the gravity of the offence and the nascent stage of investigation and also considering the fact that the petitioner has been arrested very recently on 14.02.2023, this Court is not inclined to grant bail to the petitioner.



7. In view of the above, this Criminal Original Application stands dismissed.

sd/-
02/03/2023

/ TRUE COPY /

WEB COPY

/03/2023

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

PNM

TO

- 1 THE INSPECTOR OF POLICE
AMAIYANAYAKANUR POLICE STATION,
DINDIGUL DISTRICT.
- 2 THE OFFICER INCHARGE
DINDIGUL SUB JAIL,
DINDIGUL
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP (MD) No.3969 of 2023
Date :02/03/2023

SI/SKN/SAR-3/(09.03.2023) 3P/ 4C