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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/03/2023

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD). Nos.6011 and 6013 of 2023

Jeyaparakash

... Petitioner / Accused Rank not known
in Crl.O.P(MD) No.6011 of 2023

1. Suriyaparakash

2. Nagenthiran

3. Ajaikumar

... Petitioners / Accused Rank not known
in Crl.O.P(MD) No.6013 of 2023

Vs

The State represented by
The Inspector of Police,
Aruppukottai Town Police Station,
(In Crime No.721/2022). ... Respondent / Complainant
in both petitions)

(In both petitions)

For Petitioners : M/s.Senthilkumar R, Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

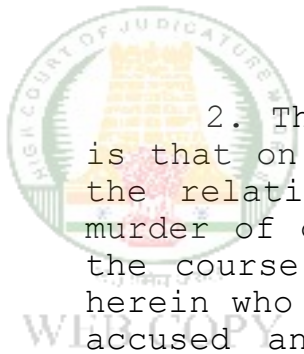
PETITIONS FOR BAIL Under Sec.439 of Cr.P.C.

COMMON PRAYER :-

For Bail in Crime no.271/2022 on the file of the Respondent Police.

COMMON ORDER : The Court made the following order :-

The petitioners /Accused who were arrested and remanded to judicial custody on 25.11.2022 for the offences under sections 147,148,302 of IPC in crime No.271 of 2022 on the file of the respondent police seek bail.



2. The case of the prosecution as per the defacto case it is that on account of previous enmity due to murder of one Rakammal the relative of said Rakammal had in retaliation committed the murder of one Sabarimalai and his brother Rathinavelpandian. During the course of investigation it came to light that the petitioner herein who is the relative of Rakammal had conspired with the other accused and thereafter engaged A4 to A7 who had waylaid the deceased near Ramalinga Mill, Arupukottai while they were coming in a two wheeler and they have indiscriminately assaulted them with aruval resulting in their instantaneous death, hence the case.

3. Heard both sides and perused the materials available on record including the First Information Report.

4. It is seen that the mother and sister of the first accused namely the first petitioner in Crl.O.P(MD) No.6013 of 2023 was murdered by counter parties. Therefore all the accused(petitioners in both petitions) engaged hooligans to do away the life of the deceased. Therefore all the accused persons unlawfully assembled together and brutally attacked the deceased and murdered him. That apart they have also murdered another person by wrong identity. Therefore it is a case of retaliation murder and if the petitioners are let out on bail, their lives will be in danger . Though some of the accused persons were released on bail, they are not standing on the same footing, hence this Court is not inclined to grant bail to the petitioners.

5.Hence these petitions stand dismissed.

sd/-
30/03/2023

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/04/2023

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

AAV

To

1.The Inspector of Police,
Aruppukottai Town Police Station,
Virudhunagar District.

2.The Officer Incharge,
District Jail,
Virudhunagar.



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3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

CRL OP(MD) Nos.6011 and 6013 of 2023



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ORDER

IN

CRL OP (MD) No.6011 and
6013 of 2023

Date :30/03/2023

ED/CG/SAR-4 (05/04/2023) 3P 4C