



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

Date : 18/05/2023

PRESENT

The Hon`ble Mrs.Justice T.V.THAMILSELVI

CRL OP(MD) . No.9284 of 2023

Thavam @ Thavamari,

... Petitioner/Accused No.3

Vs

State Rep.by

The Inspector of Police,

Aruppukottai Town Police Station,

Virudhunagar District

(Crime No.271 of 2022).

... Respondent/Complainant

For Petitioner : M/s.Jothi Basu.M.,
Advocate.

For Respondent : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

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

PRAYER :-

To release the petitioner on bail in the case in P.R.C.No.11 of 2023 on the file of the Judicial Magistrate Court, Aruppukottai in the case in Crime No.271 of 2022 on the file of the respondent police pending investigation

ORDER : The Court made the following order :-

The petitioner/A3, who is facing a charge for the offences punishable under Sections 147, 148, 149, 302, 114, 120(B), 404 and 201 r/w 34 IPC in P.R.C.No.11 of 2023 on the file of the Judicial Magistrate Court, Aruppukottai in Crime No.271 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the deceased Sabarimalai is alleged to have involved in the case of murder of one Rakkammal and due to that the petitioner and other accused are the relatives of the said Rakkammal were attempted to murder the said Sabarimalai. On 24.11.2022 at about 16.45 hours, the deceased Sabarimalai and his brother Rathinavel Pandian were coming on the two-wheeler near Ramalinga Mill, Aruppukottai, the petitioner and other accused chased them and murdered them in revenge. Hence, the case.

3.It is seen from the records that the petitioner has already been granted bail by this Court in Crl.O.P.(MD)No.3137 of 2023, dated 18/05/2023.



20.02.2023 on condition to stay at Chennai and report before North Beach Police Station daily at 10.30 a.m., and 05.30 p.m. until further orders. Thereafter, the petitioner filed a modification petition before this Court to modify the condition and the same was dismissed as withdrawn. In the meantime, the respondent police filed a petition for cancellation of bail before the learned Judicial Magistrate Court, Aruppukottai in Crl.M.P.No.1784 of 2023 and the learned Magistrate has ordered to cancel the bail granted to the petitioner on 26.04.2023. Thereafter, the petitioner was arrested and remanded to judicial custody on 26.04.2023. subsequently, the respondent filed a final report and the same was taken on file in P.R.C.No.11 of 2023. Then, the petitioner has moved a bail petition before the Court of the Vacation Sessions Judge, Virudhunagar District at Srivilliputtur and the same was dismissed on 10.05.2023 in Crl.M.P.No.2337 of 2023.

4.Considering the facts that it is a case of double murder case and the petitioner has failed to comply with the earlier order passed by this Court, dated 20.02.2023, it was cancelled by the trial Court by way of cancellation petition Crl.M.P.No.1784 of 2023 filed by the respondent, this Court is not inclined to grant bail to the petitioner.

5.In the result, this Criminal Original Petition is dismissed.

sd/-

18/05/2023

/ TRUE COPY /

/05/2023

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

SJI

TO

- 1 THE INSPECTOR OF POLICE
ARUPPUKOTTAI TOWN POLICE STATION,
VIRUDHUNAGAR DISTRICT
- 2 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.G.M.LAW OFFICE, Advocate (SR-7478[I] dated 18/05/2023)
ORDER
IN
CRL OP(MD) No.9284 of 2023
Date :18/05/2023

PKP/ /SAR- /25.05.2023/ **2P/5C**