



Crl.OP(MD)No.14869 of 2023

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

Dated: 18/08/2023

PRESENT

THE HON'BLE MR JUSTICE G.ILANGO VAN

Crl.OP(MD)No.14869 of 2023

Arumugam

: Petitioner / Accused No.3

Vs.

State rep. by
The Inspector of Police,
Somarasampettai Police Station,
Trichy District.
(In Crime No.189 of 2023)

: Respondent / Complainant

For Petitioner : Mr.S.Pandiyaraj, 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.189 of 2023 on the file of the respondent police.

ORDER: The Court made the following order:-

The petitioner/A3, who was arrested on 01/07/2023 for the offences punishable under sections 201 and 302 IPC, in Crime No.189 of 2023 on the file of



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the respondent police, seeks bail.

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2.The case of the prosecution is that on 01/07/2023 at about 03.00 pm the de-facto complainant, who was working as Grade I Police Constable attached to Ramji Nagar Police Station, was returning to his native place. At that time, he found a Car bearing registration No.TN-45-AH-6651 parked in a suspicious manner. He informed the same to the Constable namely Raja and he arrived and both of them inspected and search. When they are searching the above said Car, it is sped away on Navalur-Kallur main road. They chased the Car and intercepted, one of the occupants of the Car escaped from that place. The driver disclosed his name as 'Arumugam'. The other occupants were Dhanalakshmi, Sumathi and the other, who escaped is one Senthil. On inspection, they found a dead body, rolled with gunny. On further enquiry, the above said Dhanalakshmi stated that she was married to the deceased Sivalingam. They had a child. The deceased namely her husband developed some doubt against her fidelity. On 01/07/2023, there was wordy quarrel between them. At that time, she decided to kill her husband with the help of the escaped person. They caused the death. For the purpose of hiding the dead body, they sought the help of Arumugam, who is the Omi Car driver. The driver Arumugam along with his wife came to her house. They tied the legs and hands of the deceased, rolled in a gunny, put the same in the Car and taking. On the basis of



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the disclosure statement, the case has been registered and during the course of the investigation, the involvement of four persons came to light.

3.This petitioner was arrested and remanded to judicial custody, on 01/11/2023.

4.According to the petitioner, absolutely, there was no motive between him and the deceased. The motive was only between the deceased and his wife. Without knowing contents of the bag, he helped the above said Dhanalakshmi for transporting the same.

5.Per contra, the learned Additional Public Prosecutor would submit that knowing well that the first accused namely Dhanalakshmi and Senthil, caused the death of the deceased, this petitioner actively participated in tying the hands and legs of the deceased, transporting the same for the purpose of hiding. So, according to him, this petitioner is not entitled for bail at this stage. If released on bail, he may hamper the investigation process.

6.Perusal of the CD file shows that the petitioner actively and knowingly participated and involved in the above said process of hiding. Investigation is not completed so far. At this stage, if the petitioner is released on bail, the investigation may be hampered and the petitioner may also tamper the evidence. So, this court is not inclined to grant bail at this stage.



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7. In the result, this criminal original petition is dismissed.

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18/08/2023

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

ER

To

1. The Inspector of Police,
Somarasampettai Police Station,
Trichy District.

2. The Superintendent,
Central Prison, Trichy.

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

ORDER
IN

CRL OP(MD) No.14869 of 2023

Date :18/08/2023

ED/VR/SAR- (23/08/2023) 4P / 4C

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