



CRL OP(MD). No.16221 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.16221 of 2023

Ajithkumar

... Petitioner/ Accused No.7

Vs

The State, through
The Inspector of Police,
Aruppukkottai Police Station,
Virudhunagar District.
(Crime No.271 of 2022).

... Respondent/Complainant

For Petitioner : Mr.S.SIVAPRAKASH,
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.271 of 2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/ accused No.7, who was arrested for the alleged offence under Sections 147, 148, 302 of IPC altered with Sections 147, 148, 149, 114, 302, 120(b), 34 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 First Information Report is that the defacto complainant's brother namely deceased was doing real estate business. Over murder of one Rakkammal's case was registered against the maternal uncle of his



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brother's wife. Because of the above said, there was frequent trouble between two groups of people and criminal intimidation frequently occurred. On 24.11.2022 at about 10.00 a.m., his brother and one Sabarimalai came to the real estate office. At that time, the defacto complainant was attending registration work in Aruppukkottai Sub Registrar Office. At about 4.45 p.m., on that date, his brother and the above said Sabarimalai were riding in a two wheeler, after that their whereabouts were not known. After some time, he was informed that near Thottiyankulam junction road, both were found murdered. On that basis, the case was registered.

3. This petitioner was released on bail by the concerned Sessions Court in Cr.M.P.No.1647 of 2023, dated 28.03.2023. But he failed to comply the above said conditions. So, prosecution moved cancellation of bail that was granted to the petitioner, the same was allowed. Against which, he moved application seeking anticipatory bail by the order dated 28.07.2023, it was dismissed. Then, he surrendered before the respondent Police and then he produced before the concerned trial Court on 08.08.2023. Now, he seeks bail.

4. The learned Additional Public Prosecutor would submit that the Final Report is filed and it was taken cognizance in P.R.C.No.11 of 2023 by the concerned Court. Because of non appearance of the accused, the above said committal process is pending.



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5. Eventhough the learned counsel for the petitioner submitted that this petitioner is not involved in the above said occurrence, considering that it is a case of double murder, already bail granted to the petitioner was cancelled, I find no reason to enlarge the petitioner on bail. If he released on bail, he may abscond and tamper the evidences.

6. There shall be direction to the concerned committal Court to split up the case against the accused, who are regularly appearing and proceed in accordance with law. With the above said direction, this Criminal Original Petition is dismissed.

sd/-
07/09/2023

/ TRUE COPY /

/10/2023

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

INDU
TO

1 THE PRINCIPAL DISTRICT AND SESSIONS JUDGE (FAC),
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

2 THE ADDITIONAL DISTRICT AND SESSIONS JUDGE, SRIVILLIPUTTUR.

3 THE JUDICIAL MAGISTRATE,
ARUPPUKOTTAI, VIRUDHUNAGAR.

4 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

5 THE INSPECTOR OF POLICE,
ARUPPUKOTTAI POLICE STATION, VIRUDHUNAGAR DISTRICT.

<https://www.mhc.tn.gov.in/judis>



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6 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

COPY TO:

THE REGISTRAR(JUDICIAL),
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER IN
CRL OP(MD) No.16221 of 2023
Date :07/09/2023

SA/VRS/SAR. /11.10.2023/4P/8C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.