



CRL OP(MD). No.17954 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 10/10/2023

PRESENT

The Hon`ble Mr.Justice V. SIVAGNANAM

CRL OP(MD). No.17954 of 2023

1. Selvaraj

2. Antonyraj @ Prabhakaran

... Petitioners/ Accused No.1&2

Vs

1.The State rep.by,  
The Inspector of Police,  
Tirunelveli Taluk Police Station,  
Tirunelveli.  
Crime No.56/2022..

... Respondent/Complainant

2.R.Murugaraj

...Intervener/PW1  
in Crl MP(MD)No.14346 of 2023

For Petitioners : M/s.Ramu.M,  
Advocate.

For Respondent : Mr.R.M.S.Sethuraman,  
Additional Public Prosecutor

For Intervenor : M/s.A.Sivasubramanian  
Advocate



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

### PRAYER :-

For Bail in Crime No.56/2022 on the file of the respondent police.

### ORDER : The Court made the following order :-

The petitioners/A1 and A2, who were arrested and remanded to judicial custody on on 10.03.2022 for the alleged offence punishable under Sections 147, 148, 294(b), 302 and 506(ii) of IPC in Crime No.56 of 2022, on the file of the respondent police, seek bail.

02. The case of the prosecution is that in the year 2016, Rajan and his wife Leela @ Selva Leela and their sons, namely, Selvaraj/A1, Prabakaran/A2 and Philip/A3 have attempted to murder one Perumal and in this regard, the de-facto complainant's brother namely, Vaigundam lodged a complaint before the respondent police and FIR was registered in Crime No.78 of 2016. During the trial, the said accused persons threatened the witness/de-facto complainant stated that he should not give evidence in the Court. Further on 03.03.2022, the said Vaigundam gave evidence in chief against the said accused persons. On 10.03.2022, when the said Vaigundam was



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about to attend the Court for cross examination at about 09.45 hours, all the accused persons murdered him. Hence, the case came to be registered.

3. The learned counsel appearing for the petitioners would contend that the petitioners have been prosecuted by the respondent police for the offences under Sections 147,148,294(b),302 and 506(ii) of IPC in Crime No.56 of 2022. He would further submit that investigation has been completed and all the witnesses have been examined except the investigation officer. He would further submit that the petitioner is in custody from 10.03.2022, hence he seek bail.

4. The learned Additional Public Prosecutor appearing for the respondent Police would submit that in this case trial commenced and all the witnesses have been examined and the case stands posted for examination of investigation officer. He would further submit that eye witness to the occurrence evidenced against these petitioners hence he strongly objected to grant bail to the petitioners.

5. The learned counsel appearing for the intervenor also reiterated the contentions made by the learned Additional Public Prosecutor



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6. On perusal of the records and taking into consideration the fact that all the witnesses have been examined and the case stands posted for examination of investigation officer and also taking into consideration the submission made by the learned Additional Public Prosecutor that the witnesses in this case deposed as against the petitioners, this Court is not inclined to grant bail to the petitioners.

7. Hence the petition stands dismissed.

sd/-  
10/10/2023  
/ TRUE COPY /

/10/2023  
Sub-Assistant Registrar (C.S. )  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

AAV

TO

1. THE INSPECTOR OF POLICE,  
TIRUNELVELI TALUK POLICE STATION,  
TIRUNELVELI.

2. THE SUPERINTENDENT,  
CENTRAL PRISON,  
PALAYAMKOTTAI.



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

ORDER  
IN  
CRL OP(MD) No.17954 of 2023  
Date :10/10/2023

RK/DD(16/10/2023) 5P /4C  
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