



Crl.OP(MD)No.16599 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Dated: 19/09/2023

PRESENT

THE HON'BLE MR JUSTICE G.ILANGO VAN

Crl.OP(MD)No.16599 of 2023

NP.Natarajan : Petitioner / Accused Rank Not Known

Vs.

The State represented by its
The Inspector of Police,
Ambilikkai Police Station,
Dindigul District.
(Crime No.121 of 2023)

: Respondent / Complainant

For Petitioner : Mr.V.Kathirvelu, Senior counsel
for Mr.VR.Shanmuganathan, Advocate

For Respondent : Mr.B.Nambiselvan
Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C.

PRAYER:-

For Anticipatory Bail in Crime No.121 of 2023 on the file of the
Respondent Police.



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ORDER: The Court made the following order:-

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The petitioner, who is arrayed as an accused apprehends arrest at the hands of the respondent police for the offences punishable under sections 342, 302, 109 and 201 IPC in Crime No.121 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the de-facto complainant is the Village Administrative Officer attached to Ambilikkai village. On 19/08/2023 at about 04.00 pm, he received an information that one Suresh @ Sureshkumar, S/o.Murugesan died, on 17/08/2023. Body was burnt in BC community cremation yard. He immediately went to the spot and found the remains of the burnt body such as bones, etc. On enquiry, it came to know that on 17/08/2023, Suresh @ Suresh Kumar died and his relatives cremated the body in the night. On suspicion, complaint was given, over which, a case in Crime No.121 of 2023 was registered for the offences under sections 175 and 201 IPC.

3.During the course of investigation, it was found that it is a case of murder. So the offences were altered to 342, 302, 109 and 201 IPC, on 21/08/2023 on the following circumstances.

4.Now the case of the prosecution is that the accused Vadivel surrendered before the Village Administrative Officer, on 21/08/2022 and gave extra- judicial



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confession statement. In the course of the above said statement, he has stated that the deceased Suresh @ Suresh Kumar was working in various places in various finance Companies. During the course of the above said employment, he misappropriated huge money. The above said amount was settled by him by raising money. So he advised the deceased to correct himself. Later, he admitted him in NP.Natarajan's Company as Driver. In that Company also, he misappropriated Rs.6,00,000/-. In the police enquiry, Suresh @ Sureshkumar repaid Rs.3,50,000/-. He undertook to pay the balance amount. But later failed and picked up quarrel over the issue with the help of one Nachimuthu. He took him to his Akaraipatti Thottam. He committed murder by strangulation. Body was taken with the help of one Pandi and set up, as if he committed suicide. So, A1 was arrested and later subjected to custodial interrogation. During that time, he implicated this petitioner as if this petitioner abetted murder.

5.The learned counsel appearing for the petitioner would submit that the story has been developed by the prosecution setting up that extra-judicial confession was given by Vadivel to Village Administrative Officer; at the time of second confession statement, no implication was made; Only during the course of third confession statement, this petitioner has been implicated. So according to him, absolutely, this petitioner is not involved in the commission of crime. It was the issue between A1



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and the deceased.

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6.No doubt that there are some sort of improvement in the course of investigation, but that cannot be found fault. Whether the petitioner is involved in the above said case of murder is a matter for thorough investigation, for which, the custodial interrogation of the petitioner is very much necessary.

7.Considering the manner in which the above said offence said to have been committed, I am of the considered view that this is not a fittest case to enlarge the petition on anticipatory bail.

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

sd/-
19/09/2023

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/09/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

ER

To

1.The Inspector of Police,
Ambilikkai Police Station,
Dindigul District.

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



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ORDER

IN

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Date :19/09/2023

ED/JGB/SAR- (21/09/2023) 5P / 3C

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