



CRL OP(MD)No.17922 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09.10.2023

PRESENT

The Hon`ble Mr.Justice V. SIVAGNANAM

CRL OP(MD)No.17922 of 2023

Poo Esakkimuthu

... Petitioner/ Accused No.5

Vs

The State represented by
The Inspector of Police,
SIPCOT Police Station,
Thoothukudi District.
(Crime No.200 of 2023)

... Respondent/ Complainant

For Petitioner : Mr.M.Anbarasan, Advocate

For Respondent : Mr.RMS.Sethuraman,
Additional Public Prosecutor.

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

PRAYER :-

For Bail in Crime No.200 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 09.08.2023



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for the alleged offence punishable under Sections 147, 302 IPC in Crime No.200 of 2023, on the file of the respondent police, seeks bail.

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2.The case of the prosecution is that on 08.08.2023, the petitioner along with other accused unlawfully assembled and attacked the deceased with wooden-log and caused his death. Hence, the case.

3.The learned counsel appearing for the petitioner would contend that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. He would further submit that the petitioner is in custody from 09.08.2023, hence he seek bail.

4.The learned Additional Public Prosecutor appearing for the respondent Police would submit that the defacto complainant is a father of the deceased and the deceased was working as Driver in A1's transport company. On 08.08.2023, the deceased drove A1's lorry loading with iron rods towards Alapuzha and after unloading the iron rods, when the buyer verifying the iron rods, 3½ iron-rods were missed and the buyer asked A1 about the shortage of iron rods. Hence, A1 enquired the deceased about the missing iron rods and the deceased denied the same.



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Thereafter, A1 contacted other accused persons and asked them to bring the deceased to Thoothukudi and thereafter, all the accused persons attacked the deceased with wooden logs, due to which, the deceased died. He would further submit that there is specific allegations as against the petitioner and hence, he strongly objected to grant bail to the petitioner.

5.On perusal of records, it is noticed that there is specific allegations as against the petitioner and it is also noticed that investigations is still pending.

6.Considering the facts and circumstances of the case and considering the nature of offence, I find no reason to grant bail to the petitioner. Accordingly, this criminal original petition is dismissed.

sd/-
09/10/2023

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

GNS

TO

1 THE INSPECTOR OF POLICE
SIPCOT POLICE STATION, THOOTHUKUDI DISTRICT



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2 THE SUPERINTENDENT
CENTRAL PRISON, PALAYAMKOTTAI.

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

ORDER
IN
CRL OP(MD) No.17922 of 2023
Date :09/10/2023

SS/VRS/SAR- /19/10/2023/4P/4C

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