



Crl.O.P.(MD).No.17903 of 2023

WEB COPY

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

Date : 01/11/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). Nos.17903 & 18862 of 2023

Maheswaran,

... Petitioner/ Accused

in Crl.O.P.(MD).No.17903 of 2023

Pandiaraj,

... Petitioner/ Accused

in Crl.O.P.(MD).No.18862 of 2023

Vs

The State rep by
The Sub Inspector of Police,
M.Pudupatti Police Station,
Virduhunagar District.
(Crime No.46/2022.)

... Respondent/ Complainant
in both petitions

For Petitioner : M/s.S.Mahendrapathy, Advocate.
In Crl.O.P.(MD).No.17903 of 2023

Mr.S.M.A.Jinnah, Advocate
In Crl.O.P.(MD).No.18862 of 2023

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor
in Both petitions.

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



Crl.O.P.(MD).No.17903 of 2023

PRAYER:-

For Bail in Crime No.46/2022 on the file of the respondent police.

COMMON ORDER : The Court made the following order :-

The petitioner in Crl.OP(MD)No.17903 of 2023, who is arrayed as 13 and the petitioner in Crl.OP(MD)No.18862 of 2023, who is arrayed as A12 are facing the charges for the offences punishable under sections 341, 324, 302 IPC @ 147, 148, 341, 342, 324, 302, 506(ii) IPC @ 120(B), 147, 148, 341, 342, 324, 302, 506(ii) IPC r/w 109 IPC, in Crime No.46 of 2022, seek bail.

2.The facts in brief:-

In 2021, there was dispute between Navaneethakrishnan and the deceased Aravindhan. Both were loadman. Because of the aforesaid issue, Navaneethakrishnan was murdered by the deceased Aravindhan and others. So, the friends of the aforesaid Navaneethakrishnan wanted to revenge the murder before the first year anniversary. So, all the accused persons conspired together and wanted to kill the aforesaid Aravindhan, on 29.03.2022. However, on 30.03.2022, in pursuance of the aforesaid conspiracy, on the information furnished by the co-accused, the main accused followed the deceased and the defacto complainant. At about 05.00 pm, the murder occurred. The 1st accused, namely Arunpandian caused



Crl.O.P.(MD).No.17903 of 2023

assault with Aruval. The 2nd accused Mareeswaran also caused assault with Aruval. The deceased Aravindhan tried to escape, but the accused, namely Arunpandian, Mareeswaran, Parthiban, Muthukrishnan, Manikandaprabhu and Harikumar surrounded him and caused severe assault with Aruval. All the accused persons escaped from the place of occurrence, when the neighbours gathered. Based upon the complaint given by the defacto complainant, the case has been registered and after completing the formalities of investigation, the involvement of 16 persons came to be found. So, they were charge sheeted before the committal Court and now, committal process is undergoing in PRC No.13 of 2022 and all the persons were arrested and remanded to judicial custody.

3.After elaborate discussion, the earlier bail applications were dismissed by this court. On the ground that long incarceration suffered by the petitioners and no bad antecedents reported against them, again these petitions have been filed by the petitioners on the very same ground.

4.The learned Additional Public Prosecutor would submit that examination of witnesses almost over except the Investigating Officer. The Investigating Officer in this case is going to be examined on 02.11.2023.

5.In view of the above there is no question of bail at this stage. Let the Investigating Officer be examined on that date without fail.



Crl.O.P.(MD).No.17903 of 2023

6. With the above said directions these criminal original petitions are
WEB COPY
dismissed.

sd/-
01/11/2023

/ TRUE COPY /

/11/2023

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

TM

To

1. The Sub Inspector of Police,
M.Pudhupatti Police Station,
Virudhunagar District.

2. The Officer Incharge,
District Prison, Virudhunagar.

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

ORDER
IN

CRL OP(MD). Nos.17903 & 18862 of 2023
Date :01/11/2023

ED/VRS/SAR- (03/11/2023) 4P / 4C

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