



CRL OP(MD). No.19313 of 2023

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

Date : 26.10.2023

PRESENT

The Hon`ble Mr.Justice R.SAKTHIVEL
CRL OP(MD). No.19313 of 2023

L.Vairamuhtu

... Petitioner/ Accused No.4

Vs

State through
The Inspector of Police,
Kallikudi Police Station,
Madurai District.
(Crime No.167 of 2023).

... Respondent/ Complainant

For Petitioner : Mr. S.S. Sundarapandian, Advocate.

For Respondent : Mr.A. Thiruvadikumar

Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No. 167 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner / Accused No.4, who was arrested and remanded to judicial custody on 23.08.2023 for the alleged offence under Section 302 IPC, in Crime No.167 of 2023, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that due to previous motive, the petitioner herein and other accused persons attacked the deceased brutally by iron rod and thrown him in the water tank of the Dairy Farm and plunged him and thereby,



caused his death. Hence, the case.

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3.The learned counsel for the petitioner submitted that petitioner is innocent and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in this case. He further submitted that based on the confession statement said to have given by the co-accused only, the petitioner herein has been arrayed as accused and he is in judicial custody for the past 60 days. Further, the learned counsel submitted that the petitioner is ready to furnish the surety to be directed by the Curt. Accordingly, he prayed to allow this petition.

4.The learned Additional Public Prosecutor submitted that due to previous enmity, the petitioner herein and other accused persons attacked the deceased brutally by iron rod and thrown the deceased in the water tank of the Dairy Farm and plunged him and thereby, caused his death. He further submitted that investigation has attained a crucial stage and not completed. Further, he submitted that investigating agency is awaiting viscera report from Forensic Science Laboratory. Therefore, the learned Public Prosecutor objected to enlarge the petitioner on bail.

5. This Court has heard both sides and perused the records.

6. This Court has considered the specific overt act of the petitioner stated in the First Information Report. In view of the nature of the case, if the petitioner is enlarged on bail, he will cause threat to the defacto complainant and other witnesses.



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Investigation is not completed. If bail is granted to the petitioner, at this stage of the investigation, there will be a possibility for delaying the investigation. Hence, this Court is not inclined to grant bail to the petitioner for the present.

7. Accordingly, this Criminal Original Petition is dismissed.

sd/-
26/10/2023

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/10/2023

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

trp
TO

1 THE INSPECTOR OF POLICE, KALLIKUDI POLICE STATION,
MADURAI.

2 THE OFFICER INCHARGE, MADURAI DISTRICT JAIL, MADURAI.

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

ORDER
IN

CRL OP(MD) No.19313 of 2023
Date :26/10/2023

RS/DD/SAR-(01.11.2023) 3P 4C
Madurai Bench of Madras High Court is issuing
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