



CRL OP(MD)No.21375 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date : 28.11.2023

PRESENT

The Hon`ble Mr.Justice V. SIVAGNANAM

CRL OP(MD)No.21375 of 2023

Kodeeshwaran

... Petitioner/ Accused 1

Vs

The Inspector of Police,
Alanganallur Police Station,
Madurai District.
(Crime No.312 of 2023)

... Respondent/Complainant

For Petitioner : Mr.V.PANDIYAN, 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.312 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 11.08.2023 for the alleged offence punishable under Section 302 IPC in Crime No.312 of 2023, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner and the deceased's wife had illegal relationship and the same was warned by the deceased. Due to that motive,



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the accused persons attacked the deceased by using iron bar and caused the death of him. Hence the case.

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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 11.08.2023, hence he seek bail.

4.The learned Additional Public Prosecutor appearing for the respondent Police would submit that the investigation in this case is pending and preliminary investigation reveals that the petitioner herein had illegal relationship with the wife of the deceased and the same was known to him. Therefore, he warned him and having aggrieved over the same, the petitioner attacked the deceased and caused death. The weapons used by the accused persons were recovered and investigation of this case is completed and charge sheet also filed, which was taken on file in PRC.No.94 of 2023 by the concerned Court below. At this stage, if bail is granted to the petitioner, he will cause threat to the witnesses. That apart, this is second petition for bail and there is no change in circumstances. Hence, he strongly opposed to grant bail to the petitioner.

5.Considering the seriousness of the offence committed by the petitioner and considering the fact that there is no change in circumstances, this Court is not



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inclined to grant bail to the petitioner. Accordingly, this criminal original petition is
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dismissed.

sd/-
28/11/2023

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/01/2024
Sub-Assistant Registrar
(C.S. I / II / III/ IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

GNS
TO
1 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

2 THE INSPECTOR OF POLICE,
ALANGANALLUR POLICE STATION,
MADURAI DISTRICT.

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

ORDER
IN
CRL OP(MD) No.21375 of 2023
Date :28/11/2023

SA/JGB/SAR. /29.12.2023/3P/4C

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