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CRL O.P. No.24239 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 01.10.2024

CORAM

The Hon'ble Mr.Justice P.DHANABAL

CRL OP.No.24239 of 2024

Murthi S/o. Vijayakumar

... Petitioner /Accused

Vs

State rep. by:-

The Inspector of Police,
Mathigiri Police Station,
Krishnagiri District.
[Cr. No.354 of 2024]

... Respondent

PRAYER: - The Criminal Original Petition is filed under Section 439 of the Code of Criminal Procedure, praying to grant bail to the petitioner/Accused No.3 in Cr. No.354 of 2024 on the file of the respondent police.

For Petitioner : Mr. P.M. Jayachandran

For Respondent : Mr. S. Vinoth Kumar
Government Advocate (Criminal side)

ORDER



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The petitioner/Accused No.3, who was arrested and remanded to judicial custody on 15.08.2024 for the offences punishable under Sections 126(2), 103, 61(2) of B.N.S. Act in Cr. No.354 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 15.08.2024 at about 2.22 p.m., when the deceased returned to his home after attending the enquiry with the respondent police on his complaint, three persons waylaid and hit his two wheeler and committed murder. The investigation reveals that the deceased already made a complaint against A1 and A2 for threaten made by them and assaulted with hands due to previous enmity with regard to land dispute. Hence the case.

3. The learned counsel for the petitioner would contend that the respondent police have registered a false case against this petitioner, that this petitioner is arrayed as A3 in this case and he is nothing to do with the commission of murder, in fact there was a land dispute between the deceased and the accused 1 and 2, that this petitioner has not committed



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any offence as alleged in the FIR, that the co-accused A6 was already granted bail by this Court and investigation was almost completed and hence he prayed to grant bail.

4. The learned Government Advocate (Criminal Side) would submit that this petitioner along with other accused have attacked the deceased and caused serious injury to him, thereby, committed murder of the deceased and investigation is still pending. Hence he objected to grant bail to the petitioner.

5. Heard both sides and perused the materials available on record.

6. Considering the rival submissions on either side, considering the fact that investigation is at initial stage and also considering the grave nature of offences involved in this case, I am declined to grant bail to the petitioner at this stage.

7. Accordingly, this Criminal Original Petition is dismissed.



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index: Yes/No
Internet: Yes/No
Speaking/Non Speaking order
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To

- 1.The Judicial Magistrate No.2, Hosur.
- 2.The Public Prosecutor, Madras High Court, Chennai.
- 3.The Inspector of Police, Mathigiri Police Station, Krishnagiri District.
4. The Superintendent of Police, Central Prison, Salem.

P.DHANABAL,J

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