



WEB COPY



Crl.O.P.No.2836 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.02.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.2836 of 2025

Parthiban

... Petitioner/Accused

Vs.

The State represented by,
The Inspector of Police,
Manimangalam Police Station,
Kanchipuram District.
(Crime No.215 of 2024).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the Crime No.215 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr.D.Magesh

For Respondent : Mr.A.Gopinath
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 24.06.2024, seeking bail in Crime No.215 of 2024 registered for the offence under Sections 302 and 449 of the IPC.



Crl.O.P.No.2836 of 2025

2. It is the case of the prosecution that on account of a prior property dispute between the family members of the defacto complainant and their relatives, the deceased was done to death on 23.06.2024 at about 11.50 p.m., while he was sleeping in the portico of his house. The petitioner who was also a relative to the deceased had caused the murder by cutting his head with knife and further assaulting in stomach.

3. The learned counsel for the petitioner would submit that the petitioner is in custody since 24.06.2024. The case is now pending before the Sessions Court and hence, his further custody is not required for the purpose of investigation and considering his period of incarceration he may be granted bail.

4. The learned Government Advocate (Crl.Side) *per contra* submitted that though the case has been committed to Sessions, no indulgence should be shown to the petitioner, since he has 12 previous cases, out of which, two of them are for the offence under Section 302 of the IPC and both are pending trial.

5. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) for the respondent Police and perused the



Crl.O.P.No.2836 of 2025

materials available on record.

6. Considering the fact that the petitioner is a habitual offender and has two cases registered under Section 302 of the IPC, which are pending trial, this Court is not inclined to entertain this bail petition at this stage. Hence, this Criminal Original Petition is dismissed.

05.02.2025

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To

1. The Principal District and Sessions Judge,
Kanchipuram.
2. The Inspector of Police,
Manimangalam Police Station,
Kanchipuram District.
3. The Superintendent,
Central Prison, Puzhal.
4. The Public Prosecutor,
High Court of Madras.



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Crl.O.P.No.2836 of 2025

SUNDER MOHAN., J.

ars

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