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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-01-2025

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 1851 of 2025

1. Devanathan
2. Suriyaprakash
3. Thanigavel @ Thanigaivelu
4. Elangovan
5. Ravichandran

Petitioner(s)

Vs

State Rep by, Inspector Of Police
Station House Officer,
Kullanchavadi Police Station, Cuddalore.
Cr.No. 312 Of 2024

Respondent(s)

For Petitioner(s):

M. Ragul Kousik
T.Reena

For Respondent(s):

Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)

ORDER

Petition seeking bail in respect of Crime No.312 of 2024 registered under Section 194(1) of BNSS and later altered to one under Sections 103 and 238 of BNS, is on board for consideration.



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2. The incarceration of the petitioners being from 31.12.2024 pleading innocence on the part of the petitioners and false implication in the case, learned counsel for the petitioners seeks indulgence of this Court. He further submits that the petitioners have nothing to do with the alleged offence and even in the First Information Report, the names of the petitioners does not find place, however, they were arrested only on suspicion. He also submits that the petitioners are ready to abide by any stringent condition that may be imposed by this Court.

3. The case of the prosecution as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of bail, is that since the husband of the de facto complainant/victim had committed theft of Jack fruit from the first accused's farm, he was assaulted by the first and the second accused with wooden log, due to which, he died. He further submits that the other accused have assisted A1 and A2 in disposing the body of the victim/deceased. He also submits that initially, based on the complaint given by the de facto complainant, the case was registered under Section 194(1) of BNSS and later, it has been altered to one under Sections 103 and 238 of BNS. He further submits that the first accused has surrendered and all other accused were secured only on 31.12.2024 and the investigation is still at preliminary stage.



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4. Having heard the learned counsel for the petitioners, the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record and considering the fact the petitioners were arrested very recently and that the investigation is also at nascent stage, this Court is not inclined to grant bail to the petitioner.

5. Accordingly, the Criminal Original Petition stands dismissed.

29-01-2025

To
1. The Station House Officer,
Kullanchavadi Police Station, Cuddalore
HAM



A.D.JAGADISH CHANDIRA.,J.

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