

IN THE COURT OF III ADDITIONAL DISTRICT AND SESSIONS JUDGE(PCR),
MADURAI.

PRESENT : Tr. M. Thandavan, B.L.,

III Additional District Judge (PCR), Madurai.

Tuesday the 25th August 2020.

Crmp.No. 430 / 2020

CRIME NO. 1052 / 2020

MuthuPandi

S/o. Velan

----- Petitioner / Accused - 9

//Vs//

State Represented by Inspector of

Police, **Mathichiyam Police Station**

Madurai.

..... Respondent / Complainant

Cr.No: 1052 / 2020.

This petition coming before me today for hearing in the presence of Thiru. K.M. Vivekananthan, Counsel for petitioners and of Thiru. Arivudainambi, Special Public Prosecutor for respondent and upon perusing the petition, objection, material papers on record and upon hearing the argument of both sides and having stood over for consideration, this court passed the following :

ORDER

This bail application u/s. 439 is received from Advocate Thiru.K.M. Vivekananthan , through e-mail on 12.08.2020.

1. The case of the petitioner is that the petitioner has been arrested and remanded to the judicial custody on 29.07.2020 for the offences U/s. 147, 148, 449, 294(b), 302 IPC and subsequently altered as 120(b), 147, 148, 449, 294(b), 302 IPC and U/s. 3(2) (v) of SC/ST Act registered by the respondent police.

2. The petitioner has not involved himself in any offence as alleged by the prosecution. The first accused and his associates alone committed the offence due to previous enmity. The petitioner has been implicated only on the basis of false complaint given by the complainant. The petitioner is ready to furnish sufficient surety as ordered by this court.

3. This petition is objected by the respondent that the petitioner has involved himself in the offence and if the petitioner is released on bail, it will be dangerous to the life of the dependent of the deceased.

4. The wife namely the dependent of the deceased is very much present in the court and expressed her apprehension that it will be dangerous to the life and the property of them, if the petitioner is released on bail.

5. Apparently the case has been registered U/s. 302 IPC also. Since the husband of the person present in the open court has been murdered, and the gravity of the offence is higher, the apprehension on the part of the wife of the deceased is justifiable. Hence this court holds that this petition deserves to be dismissed.

6. In the result this petition is hereby dismissed.

/Sd./ M. THANDAVAN,

III Additional District & Sessions Judge (PCR)(FAC),
Madurai.