

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

PRESENT : Tr. A. Dhanasekaran. M.A.,M.B.A.,M.L.,

III Additional District Judge (PCR), Madurai.

Thursday 30 July 2020.

Crmp.No. 418 / 2020

CRIME NO. 161 / 2019

Spl.SC. No. 41 / 2019

1. Vijayakumar @ Vijay (Aged 26 Years)

S/o. Kannan

Pallivasal Street,

Dabethar Santhai,

Samayanallur,

Madurai.

2. Balakumar @ Beedibala (Aged 28 Years)

S/o. Dhanagopal,

8, AR Thoppu 1st Street,

Andalpuram,

Madurai.

..... Petitioner / Accused A-3 & A-14

/Vs/

State by DSP

Samayanallur Range,

Madurai.

..... Respondent / Complainant

Cr.No: 161 / 2019.

Spl. SC. No. 41 / 2019.

ORDER

1. This bail application filed by Advocate Thiru. J. William Christopher on 27.07.2020 through e-mail. Reply called for from the Defacto complainant, Police and Special Public Prosecutor. The prosecution side and Special Public Prosecutor Thiru. A. Kalyanasundaram send reply through whatsapp on 29.07.2020.

2. On the petitioner side it is stated that already final report was filed and hampering investigation is ruled out. The petitioner / accused were in custody for 380 and 367 days respectively. Detention orders under preventive detention act were quashed by the Hon'ble High Court of Madras at Madurai Bench. And hence the petitioners may be released on bail.

3. On the prosecution side it is objected stating if the accused are released they may tamper the witness and the petitioner were already detained under preventive of detention Act and hence this bail application may be dismissed.

4. Both side considered. Considering the nature of the offences U/s. 147, 148, 452, 294(b), 342, 506(ii), 302 of IPC and section 4 of TNPWH Act and Sec 3(2)(v) of SC/ST Act 2015, heinous day light murder of the deceased in the presence of his wife the defacto complainant here in and apprehension of tampering of witnesses during trial if the petitioners are released, this court is not inclined to release the petitioners / Accused on bail at this stage.

5. Hence this bail petition is dismissed.

/ Sd / A.Dhanasekaran,
III Addl. District & Sessions Judge, (PCR)
Madurai.