

IN THE COURT OF THE PRINCIPAL SESSIONS JUDGE, TIRUPPUR

PRESENT: Thiru. Swarnam J. Natarajan M.L.,
Principal Sessions Judge, Tiruppur.

Tuesday, the 18th day of October, 2022

Cr.M.P.No.1973 / 2022

in

Spl.Sc.No.13/2022

Suga Prakash @ Mokka Prakash, 22
S/o. Sundaraperumal

... Petitioner / Accused -3

Vs.

The State rep. by
The Inspector of Police,
Nallur Police station.
Cr.No. 116/ 2022

... Respondent / Complainant

This petition is coming on this day for final hearing before me in the presence of Tr.L.Prakash, Advocate for the petitioner and Thiru.K.Manoharan, Special Public Prosecutor for the State, after hearing both sides and perusing the written reply submitted by the respondent and records, this court delivers the following :

ORDER

1. The petitioner, who is in custody for the offences punishable u/s. 302, 307, 201, 34 of IPC and Section 3(2)(v) of SC/ST Act, 25(1B)(b) Arms Act had filed this petition u/s. 439 of Cr.P.C. seeking for his release on bail.

2. The case of the prosecution is that on 13.02.2022 at about 8.00 p.m., the brother of the informant Ranjithkumar and other while taking liquor, there was a quarrel between them and later on since Ranjithkumar failed to give the

cellphone and money, three unknown persons came and they beaten Sathishkumar and Ranjithkumar. In that incident Sathishkumar was murdered and his head was removed from his body and Ranjithkumar was severely injured.

3. According to the petitioner, he has not committed any offence. He is no way connected with this offence. He is having permanent residence. The investigation was completed and the Charge Sheet has been laid. The accused Nos.4, 5, 6 and 7 were granted bail by the Hon'ble High Court. He has been detained under Goondas Act. The earlier bail petition in CMP.No.1312/2022 was dismissed on 05.07.2022. The case is posted for trial. He will not abscond or tamper the witnesses. He is ready to abide by any condition imposed by this court and willing to produce sufficient sureties to the satisfaction of this Court and hence prays to grant bail to him.

4. The learned Special Public prosecutor has submitted that, if the petitioner is released on bail, he will abscond, tamper the witnesses, will indulge in the same type of offences and he will threat the victim and hence the prosecution side strongly opposes for grant of bail to the petitioner and the petition may be dismissed.

5. The petitioner was said to have committed offences u/s. 302, 307, 201, 34 of IPC and Section 3(2)(v) of SC/ST Act, 25(1B)(b) Arms Act. The petitioner is still detained under Goondas Act. Considering the fact that this court is not inclined to consider the bail application of the petitioner and the petition is dismissed.

In the result, this petition is dismissed.

Given by me, this the 18th day of October, 2022.

Principal Sessions Judge,
Tiruppur.