

IN THE COURT OF THE PRINCIPAL SESSIONS JUDGE, TIRUPPUR

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

Saturday, the 15th day of October, 2022

Cr.M.P.No.1969 / 2022

Dineshkumar (27)
S/o.Marimuthu.

.....Petitioner/Accused

Vs.

State Rep. by
The Inspector of Police,
15.Velampalayam Police station
Tiruppur.
(Cr.No.497/2022)

.....Respondent/Complainant

This petition is coming on this day for final hearing before me in the presence of Thiru.M.Sathasivam, Advocate for the petitioner and Thiru.S.Kanagasabapathy, 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, 380 IPC had filed this petition u/s. 439 of Cr.P.C. seeking for his release on bail.

2. The petitioner was remanded on 07.08.2022 and he is in judicial custody for the past 70 days.

3. According to the petitioner, he is innocent, he has to take medical treatment for himself, he has been falsely implicated in this case, he never involved in this case, there is no connection to the petitioners with the offence. The earlier bail application in CrI.M.P.No.1811/2022 was dismissed on 21.09.2022 by this court. He will not abscond or tamper

15.10.2022

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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 Public Prosecutor has submitted that the investigation is pending, The Goondas Act process have been initiated to detain the petitioner, the chemical report is to be received. If the petitioner is released on bail, he will abscond or tamper the witnesses, he will indulge in same type of offence and hence the prosecution side strongly opposed for grant of bail to the petitioner and prays for dismissal of the petition.

5. The petitioner was said to have committed u/s.302, 380 IPC. The earlier application was dismissed on 29.09.2022 in CMP.No.1811/2022. This is a case of murder for gain, where in 3 persons were involved in the occurrence by trespassing into the house of an aged lady forcibly snatched her jewels and hanged her in the house itself and it is a very serious offence which caused law and order issue in the locality and caused fear in the mind of the general public. Therefore, if the petitioner is considered bail, the same would cause delay in conducting the trial and the accused person would indulge in tampering the witnesses. Considering the representation by the Public Prosecutor that Goondas Act process have been initiated to detain the petitioner, 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 15th day of October, 2022.

Principal Sessions Judge
Tiruppur.

15.10.2022

Principal Sessions Judge, Tiruppur