

In the Court of the Vacation Sessions Judge, Theni.

Present: Thiru. P. Ganesan, B.A., B.L., D.L.L.,

Vacation Sessions Judge, Theni,

**Dated this the 22<sup>nd</sup> day of May 2024**

**Cr1.M.P. No.88/2024**

**CNR.No.TNTH00-000105-2024**

Mutheeswaran

... Petitioner/Accused

-Versus-

State through the Inspector of Police,

Uthamapalayam P.S. in

Cr.No.95/2024

... Respondent/Complainant

This petition is coming up on this day before me for hearing in the presence of Thiru.P.Poneswara Moorthy, Learned Counsel for the petitioner and the Learned Public Prosecutor for the State and this Court passed the following:

**ORDER**

This petition has been filed by the petitioner/accused U/s.439 of Code of Criminal Procedure seeking bail.

**2. The Nitty-Gritty of the prosecution case is as follows:**

On 31.03.2024 at about 7.00 p.m., the petitioner and co-accused attacked the deceased with lethal weapons and allegedly murdered him. So the case registered against the petitioner U/s.147, 148 and 302 of IPC.

3. Heard both sides.

4. The points for determination is that can bail be granted to the petitioner?

..2..

**Answer :**

5. The FIR and records are perused. As revealed from the FIR, the petitioner and the co-accused persons attacked the deceased indiscriminately with lethal weapons and allegedly murdered him. The prosecution submitted that the investigation is underway and the accused would abscond if released on bail. It is also brought to notice of this Court that already a criminal case under Cr.No.198/2023 on the file of Uthamapalayam Police Station is pending against the petitioner. So having considered the fact that the offence committed by the petitioner is serious in nature and already criminal case is pending against him. Therefore the petitioner is not entitled for bail.

**In fine, the Bail petition is dismissed.**

Pronounced by me in open Court on this the 22<sup>nd</sup> day of May 2024.

**Vacation Sessions Judge,  
Theni.**

**Copy to:**

The Judicial Magistrate, Uthamapalayam.