

IN THE COURT OF THE PRINCIPAL DISTRICT AND SESSIONS JUDGE,
CUDDALORE DISTRICT, CUDDALORE

Present: THIRU. S. UTHAMARAJ, B.A., B.L.,
Principal Sessions Judge,
(Full Additional Charge),
Cuddalore.

Thursday, the 21st day of March 2024

Crl. Misc. Petition No. 2012/2024

Elavendhan (A2), age 24, S/o. Mathiyazhagan >> Petitioner/Accused

.Vs.

S.H.O. Kumaratchi P.S.,
Cr.No.161/2023.

>> Respondent/Complainant

This petition is coming for hearing before me on this day in the presence of Thiru.N.Radha, Advocate for the petitioners /Legal Aid Defense Counsel and of Public Prosecutor for the respondent and this Court made the following

ORDER

Heard both sides.

This petition is filed U/s.439 of Cr.P.C, for seeking bail.

The Learned Counsel for the Petitioner/Accused has filed the Bail application and stated that the Petitioner/Accused has been charged by the Respondent Police U/Ss.174 of Cr.P.C. then subsequently altered into 109, 120(B), 341 and 302 of IPC for the alleged occurrence took place on 19.12.2023 and the Petitioner/Accused was arrested and remanded on 24.12.2023. Date of FIR 19.12.2023.

The Petitioner/Accused is in Judicial custody for the past 89 days.

The Learned Counsel for the Petitioner/Accused has contended that the Petitioner/Accused is no way connected with the offence and he has been falsely implicated in this case. He is two wheeler mechanic and he is friend of A4. The co-accused A1 released on bail by the Hon'ble High Court of Madras. There is no eye witness for the occurrence. Hence, prays to allow the petition.

Per contra, the Learned Public Prosecutor objected on the ground that the Petitioner/Accused is in judicial custody for the past 89 days only. As per FIR, there is illicit intimacy between A1 and A4. A1 is wife of the deceased. A2 and A4 are coolipadai to murder any person. On the basis of Confession Statement of co-accused, the other accused included in this case. The investigation is completed and the case is numbered as **PRC.No.8/2024**. The co-accused A1 released on bail by the Hon'ble High Court of Madras. Hence, he strongly objected to grant Bail to the Petitioner/Accused.

Rival submissions of both sides considered. Upon considering the strong objections, facts and circumstances of the case and the gravity of offences, this Court is not inclined to grant bail to the Petitioner/Accused, hence the petition is dismissed.

Pronounced by me in Open Court, this the 21st day of March 2024.

Principal Sessions Judge,
(Full Additional Charge),
Cuddalore.

To : The Judicial Magistrate No. II, Chidambaram
Copy to : S.H.O. Kumaratchi P.S.

} Through
E-Mail only