



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Monday, the Twenty First day of December Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) Nos.24331 and 24332 of 2015

MARIAPPAN @ RESNA MARIAPPAN

... PETITIONER/ ACCUSED NO.1 IN BOTH THE CASES.

Vs

THE STATE REP,BY
THE INSPECTOR OF POLICE
THARUVAIKULAM POLICE STATION,
TUTICORIN DISTRICT,
CR NOS.204 AND 138 OF 2015.

(RESPECTIVELY) ... RESPONDENT / COMPLAINANT IN BOTH THE CASES.

For Petitioner : M/S V.PERUMAL Advocate
IN BOTH THE CASES.

For Respondent : MR.K.ANBARASAN, Govt. Advocate (Crl. Side)
IN BOTH THE CASES.

PETITIONS FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner in Crl.O.P.No.24331 of 2015, who was arrested and remanded to judicial custody on 07.12.2015, for the alleged offences punishable under Section 294(b), 307, 427 and 506(ii) IPC, in Crime No.204 of 2015 on the file of the respondent police, seek bail. The petitioner in 24332 of 2015, who was arrested and remanded to judicial custody on 22.08.2015, for the alleged offences punishable under Sections 147, 148, 341, 294(B), 324, 307, 488, 427 and 506(ii) IPC r/w Section 3(1)(x) of SC/ST (POA) Act 1989, seek bail.

2.The case of the prosecution is that the defacto complainant was threatened by the petitioner and other persons and they attacked the defacto complainant.

3. The learned counsel for the petitioner submitted that since the petitioner had not complied the interim bail order granted by the lower court, he was arrested on 07.12.2015 in Crime No.138 of 2015. Though he was arrested on 07.12.2015, a false case has been foisted against the petitioner in Crime No.204 of 2015. Hence, he plays for grant of bail to the petitioner.



4. The learned Government Advocate(Crl.side) would submit that on execution of Non Bailable Warrant, the petitioner was arrested on 07.12.2015 and the petitioner has 8 previous cases.

5. Taking into consideration the overall facts and circumstances of the case and considering the fact that the petitioner has bad antecedents, this Court is not inclined to grant bail to the petitioner. Hence, the petitions are dismissed.

sd/-
21/12/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE SUPERINTENDENT
CENTRAL PRISON, PALAYAMKOTTAI.
- 2 THE ADDL.PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 3 THE INSPECTOR OF POLICE
THARUVAIKULAM POLICE STATION,
TUTICORIN DISTRICT.

+2. CC to M/S V.PERUMAL Advocate SR.Nos.75578 & 75577

ORDER
IN
CRL OP(MD) Nos.24331 and 24332 of 2015
Date :21/12/2015

RG.JGB-DP/SAR-I 22/12/2015 2P:6C