



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

Tuesday, the Seventh day of February Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL OP(MD) No.1044 of 2017

1 P.KANNAN

2 B.MUTHUKUMAR

3 M.PANDIARAJAN

... PETITIONERS / ACCUSED NO.1,3 & 4

Vs

THE STATE REP BY,
THE INSPECTOR OF POLICE
POOVANTHI POLICE STATION,
SIVAGANGAI DISTRICT
(CR.NO.1/2017)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.J.JEYAKUMARAN Advocate

For Respondent : MR.P.KANDASAMY Govt. Advocate (Crl. Side)

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

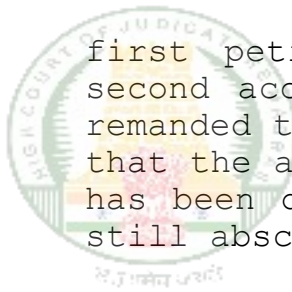
ORDER : The Court Made the following order :-

The petitioners, who were arrested and remanded to judicial custody on 02.01.2017, for the offences punishable under Sections 452, 294(b), 324 and 307 of IPC., in Crime No.1 of 2017, seek bail

2. The case of the prosecution is that there was illicit intimacy between the defacto complainant's husband one Baskaradass and one Meera, who is the wife of the 1st petitioner herein and due to that motive, the first petitioner attacked with aruval on the forehead of the injured and the petitioners 2 and 3 had attacked with knife on the left hand palm and left leg thigh of the injured respectively.

3. The learned counsel appearing for the petitioners states that there is no specific overt act attributed as against the petitioners herein and they were wrongly implicated in this case and the second and 3rd petitioner name are not mentioned in the FIR.

4. The learned Government Advocate (Crl.side) appearing for the respondent states that there are two named accused herein A1 is the



first petitioner herein and his brother viz., Murugan shown as second accused and two others. The petitioners were arrested and remanded to judicial custody on 02.01.2017. He would further submit that the alleged occurrence took place on 01.01.2017 and the injured has been discharged from the hospital only on 19.01.2017 and A2 is still absconding and the investigation is pending.

5. Considering the above facts and circumstances of the case and also considering the alleged overt act of the petitioners during occurrence and the motive for the commission of offence and also considering the fact that the injured was discharged from the hospital only on 19.01.2017 and the investigation is still pending because of absconding of A2, this Court is not inclined to grant bail to the petitioners, at this stage. Hence, this Criminal Original Petition stands dismissed.

sd/-

07/02/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, NO.II
SIVAGANGAI.
- 2 THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.
- 3 THE OFFICER IN CHARGE,
CENTRAL PRISON, MADURAI.
- 4 THE INSPECTOR OF POLICE
POOVANTHI POLICE STATION,
SIVAGANGAI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.J.JEYAKUMARAN Advocate SR.No.6977

MKV/JS/SAR 3:08.02.2017:2P-7C

ORDER

IN

CRL OP(MD) No.1044 of 2017

Date :07/02/2017