



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

Wednesday, the First day of March Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.2186 of 2017

MUTHAIAH

... PETITIONER/SOLE ACCUSED

Vs

STATE REP. BY
INSPECTOR OF POLICE,
MANAMADURAI POLICE STATION,
SIVAGANGAI DISTRICT.
(CRIME NO.17 OF 2017)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.A.K.MANICKAM Advocate

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

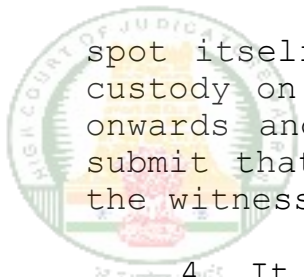
PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 10.01.2017, for the offences punishable under Sections 294(b), 302 and 506(ii) of IPC., in Crime No.17 of 2017, on the file of the respondent police, seeks bail.

2. The learned counsel appearing for the petitioner states that the petitioner is an innocent and he has not committed any offence, as alleged by the prosecution and he has been falsely implicated in the present case by the respondent Police with an ulterior motive. The petitioner is a patient and he was already taking treatment in GRH, Madurai and he has also produced the Medical Reports. He would further submit that the petitioner is suffering from lung infection and chest pain and at present, he is taking treatment in GRH, Madurai and the jail hospital in custody and he is in urgent need of better treatment under experts.

3. The learned Government Advocate (crl.side) appearing for the respondent states that the petitioner herein is the sole accused in this case and at the time of occurrence, the petitioner came to his coconut grove and questioned the consuming of liquor in his grove by the deceased and due to which, wordy altercation has developed and during the said quarrel, the petitioner attacked the deceased with sword on his neck and the deceased succumbed to the injuries on the



spot itself. The petitioner was arrested and remanded to judicial custody on 10.01.2017 and he is in judicial custody from that date onwards and the investigation is still pending. He would further submit that, if the petitioner is released on bail, he will tamper the witnesses in this case.

4. It is admitted that the petitioner is the sole accused in this case and he was arrested and in custody from 10.01.2017 onwards and the investigation is still pending.

5. Considering the above facts and circumstances of the case and also considering the fact that investigation is still pending and the alleged overt act of the petitioner, who said to have attacked the deceased with Sword on his neck and caused death of both the deceased, this Court is not inclined to grant bail to the petitioner, at this stage, and hence, the Criminal Original Petition stands dismissed.

sd/-
01/03/2017

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

TO

1. THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.

2. INSPECTOR OF POLICE, MANAMADURAI POLICE STATION,
SIVAGANGAI DISTRICT.

3. ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.A.K.MANICKAM Advocate SR.No.11988

ORDER
IN
CRL OP(MD) No.2186 of 2017
Date : 01/03/2017

MS/JM/SAR2/3.3.2017/2P.5C