



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

Thursday, the Second day of March Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.2242 of 2017

BIJUKUMAR

... PETITIONER/SOLE ACCUSED

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
THIRUVATTAR POLICE STATION,
KANYAKUMARI DISTRICT.
(CRIME NO.23/2017)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.K.P. NARAYANA KUMAR Advocate

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

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

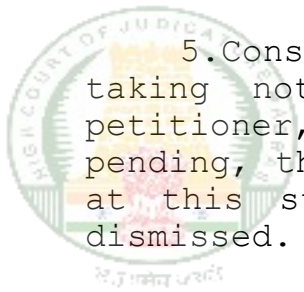
ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 30.01.2017 under Sections 341, 294(b), 324 and 307 IPC in Crime No.23 of 2017 on the file of the respondent Police, seeks bail.

2.The case of the prosecution is that due to previous enmity, the petitioner attacked the deceased and another person with vettukathi on the head of the deceased and also caused cut injury on the left hand two fingers of the other person.

3.The learned counsel for the petitioner submitted that no such occurrence was taken place as alleged by the prosecution and even the petitioner did not present in the scene of occurrence and due to previous motive between the petitioner and the de facto complainant and in order to vacate the petitioner and his family members from the locality, the present complaint is given. He further submitted that earlier the petitioner gave a complaint against the de facto complainant in Crime No.825 of 2015 and that the de facto complainant continuously threatened the petitioner to withdraw the said complaint.

4.The learned Government Advocate (Crl.side) submitted that the petitioner is the sole accused in this case and the petitioner was arrested on 30.01.2017 and investigation is still pending.



5.Considering the facts and circumstances of the case and also taking note of the alleged overt act attributed against the petitioner, attacking the head of the deceased and investigation is pending, this Court is not inclined to grant bail to the petitioner at this stage. Accordingly, this Criminal Original petition is dismissed.

sd/-
02/03/2017

/ TRUE COPY /

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

TO

1.THE INSPECTOR OF POLICE
THIRUVATTAR POLICE STATION,
KANYAKUMARI DISTRICT.

2.THE OFFICER INCHARGE,
DISTRICT JAIL, NAGERCOIL.

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

+1. CC to M/S.K.P. NARAYANA KUMAR Advocate SR.No.12123

ORDER
IN
CRL OP(MD) No.2242 of 2017
Date :02/03/2017

MS/SV.MMS/09.03.2017/2P.5C