



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

Wednesday, the Fifteenth day of March Two Thousand Seventeen

PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL OP (MD) No.2894 of 2017

RAHMAN,

... PETITIONER/ ACCUSED NO.1

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
TALLAKULAM POLICE
STATION, MADURAI 625 002.
(CR.NO.252 OF 2017)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.P.GOKULNAATH Advocate

For Respondent : MR.K.V.RAJARAJAN Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner/A1, who was arrested and remanded to judicial custody on 12.02.2017 for the alleged offences punishable under Sections 341, 294(b), 506(ii) and 302 of IPC., in Crime No.252 of 2017 on the file of the respondent police seeks bail.

2.As per the prosecution, due to previous enmity with one Ramzan Begum, the deceased started quarrel at her shop pelting stone which provokes this petitioner and three others to come out of the shop and they brutally attacked the deceased with stone and Iron ladle(Dosai Karandi) and the deceased succumbed to the injury.

3.The learned counsel for the petitioner submitted that it was the deceased who provoked the incident by pelting stone and it was the petitioner who sustained injuries first and when the staffs of the hotel started chasing the deceased, he fell down due to the influence of liquor and succumbed caused due to the fall on a stone in the floor.

4. The postmortem report furnished by the learned Government Advocate (Crl.Side) indicates the injuries caused to the deceased, out of which four of the injuries are in and around the face on each part, which could not have been happened by fall on the floor. Therefore this Court is not inclined to consider the theory projected by the petitioner in the bail petition.



5. Taking note of the submission made by the learned Government Advocate (Crl.Side) that the investigation is still going on and release of the petitioner may lead to tamper the witnesses, this petition is liable to be dismissed and accordingly, this Criminal Original Petition is dismissed.

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sd/-
15/03/2017

/ TRUE COPY /

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

PJL
TO

1 THE INSPECTOR OF POLICE, TALLAKULAM POLICE STATION,
MADURAI 625 002.

2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

3 THE SUPERINTENDENT CENTRAL PRISON, MADURAI

+1. CC to M/S.P.GOKULNAATH Advocate SR.No.14791

GJM/CM/MSA/SAR-3-20.3.17-2P-5C

ORDER
IN
CRL OP(MD) No.2894 of 2017
Date :15/03/2017