



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

Monday, the Twenty Third day of January Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.473 of 2017

KALI @ KALEESWARAN

... PETITIONER/ACCUSED NO.2

Vs

STATE THROUGH
THE INSPECTOR OF POLICE,
SOUTH POLICE STATION,
TUTICORIN
(CRIME NO.1193 OF 2016)

... RESPONDENT/ COMPLAINANT

L.RAGU RAMAN

... PETITIONER/VICTIM

For Petitioner : M/S.B.N.RAJA MOHAMED Advocate
For Respondent : M/S.P.KANDASAMY, Govt. Advocate (Crl. Side)
For Intervenor : M/S.L.SHAJI CHELLAN, Advocate

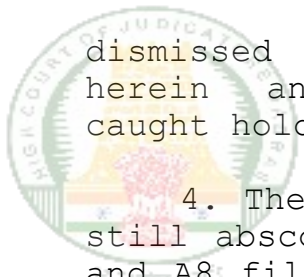
PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner/Accused No.2, was arrested on 23.10.2016 for the offences punishable under Sections 147, 148, 294(b), 323, 307 and 506(ii) of I.P.C.,, in Crime No.1193 of 2016 on the file of the respondent police, seeks bail.

2. The learned counsel for the petitioner states that earlier bail application moved on behalf of the petitioner in Crl.O.P.(MD). No.23218 of 2016 was dismissed by this Court, on 20.12.2016 and this is the second bail application moved before this Court, since the petitioner is in prison from 23.10.2016 onwards.

3. The learned counsel for the intervenor states that the petitioner herein is the close associate and also he has driven the car of A1 to the occurrence place and he has involved 4 previous cases for the offence under Section 307 of I.P.C. before Tuticorin North Police Station and Thalamuthu Nagar Police Station. The learned counsel for the intervenor further states that he is the main associate of A1 and if the petitioner is released on bail, he will again cause disturbance to the smooth running of the District Court and he will create fear in the mind of the advocates, who are practising in the District Court. His earlier bail application also



dismissed on the ground that the antecedents of the petitioner herein and also the alleged overt act of the petitioner that he caught hold the injured during the alleged occurrence.

4. The learned Government Advocate (Crl.side) states that A1 is still absconding and the investigation is still pending and A1, A7 and A8 filed anticipatory bail before the Sessions Court which was also dismissed. A5 was granted anticipatory bail by this Court in Crl.O.P.(MD)No.24063 of 2016, on 05.01.2017, since the name of the petitioner in that anticipatory bail petition is not mentioned in the F.I.R. and he is a counsel on record for the de-facto complainant in divorce case as well as the maintenance case.

6. Considering the above facts and circumstances of the case and also the fact that he is a close associate of A1 and A1 is still absconding, this Court is not inclined to grant bail at this stage. Accordingly, this petition is dismissed.

sd/-
23/01/2017

/ TRUE COPY /

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

TO

- 1.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI
- 2.THE SUPERINTENDENT, CENTRAL JAIL, PALAYAMKOTTAI
- 3.THE INSPECTOR OF POLICE,
SOUTH POLICE STATION,
TUTICORIN

+1. CC to M/S.L.SHAJI CHELLAN, Advocate, SR.No.3332

MKV/5C/2P/JM/SAR3/1.2.2017

ORDER
IN
CRL OP(MD) No.473 of 2017
Date :23/01/2017