



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

Friday, the Twenty Eighth day of April Two Thousand Seventeen

PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL OP (MD) No.4862 of 2017

ARIYAPPAN

... PETITIONER/ACCUSED No.1

Vs

STATE THROUGH THE
THE INSPECTOR OF POLICE
KAMUTHI POLICE STATION, KAMUTHI,
RAMANATHAPURAM DISTRICT,
CRIME NO. 114 OF 2017

... RESPONDENT / COMPLAINANT

SIVAKUMAR

...PETITIONER/INTERVENOR/
DE-FACTO COMPLAINANT

For Petitioner : M/S.R.BABU JEGANATH Advocate

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

For Intervenor : MR.A.UTHAYAKUMAR, Advocate

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

ORDER : The Court Made the following order :-

The petitioner/accused No.1 who was remanded to judicial custody on 04.04.2017 for the offences under Sections 341, 294(b) and 307 IPC in Crime No.114 of 2017 on the file of the respondent/Police, seeks bail.

2.According to the prosecution, this petitioner along with others have attacked the de facto complainant and his son with lethal weapon causing grievous injury due to previous enmity.

3.The counsel for the petitioner submits that the petitioner also sustained injury and the counter case has been lodged against the de facto complainant. Since the injured are discharged from the Hospital, the petitioner may be released on bail.

4.The intervenor/de facto complainant who is the victim of the crime submitted that in the land dispute between P.S.Mani @ Subramani and the petitioner, he and his son were suspected by this petitioner/accused as associates of P.S.Mani @ Subramani and helped him to cancel the patta stood in favour of the petitioner. Therefore, the petitioner and three others attacked him and his son



with Aruval all over the body. After intensive care treatment, they are now discharged from the hospital. Their life is under threat at the hands of the petitioner. Therefore, if the petitioner is released on bail, serious prejudice will be caused to them.

5. The learned Government Advocate (Criminal Side) submits that this petitioner along with others have brutally attacked the de facto complainant causing grievous injury and he is having two previous cases of similar nature.

6. Considering the submission made by the learned Government Advocate (Criminal Side), this Criminal Original Petition is dismissed.

sd/-
28/04/2017

/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE
KAMUTHI POLICE STATION, KAMUTHI,
RAMANATHAPURAM DISTRICT,
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 3 THE OFFICER IN CHARGE
SUB JAIL, MUTHUKULATHUR, RAMANATHAPURAM

ORDER
IN
CRL OP(MD) No.4862 of 2017
Date :28/04/2017

SMA/PM-PN/SAR-4/04.05.2017:2P/4C