



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

Tuesday, the Twenty Seventh day of February Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP (MD) No.2238 of 2018

MARIYA ARUL JEBHASTIYAN

... PETITIONER / SOLE ACCUSED

Vs

THE STATE REPRESENTED BY
THE SUB INSPECTOR OF POLICE
PANDALKUDI POLICE STATION,
VIRUDHUNAGAR DISTRICT,
CRIME NO.41 OF 2018)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.M.JOTHI BASU Advocate

For Respondent : Mr.SUYAMBULINGA BHARATHI
Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner/Sole Accused, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 341, 294(b), 324, 307 and 506(ii) of IPC., in Crime No.41 of 2018, seeks anticipatory bail.

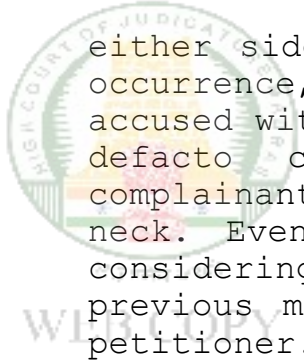
2. The case of the prosecution is that due to previous motive, on 04.02.2018, the petitioner assaulted the defacto complainant by using Aruval on his head and thereby, the defacto complainant sustained severe injuries on his forehead and back side of the neck. Hence, based on the complaint given by the defacto complainant, the case has been registered against the petitioner for the above said incident.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent submitted that the injured has been discharged from the hospital and the investigation is still pending.

<https://hcservices.ecourts.gov.in/hcservices/>

5. The submissions made by the learned counsels appearing for



either side are considered. It is alleged that during the time of occurrence, due to previous motive, the petitioner being the sole accused with intention to kill the defacto complainant assaulted the defacto complainant by using Aruval. Thereby, the defacto complainant sustained injuries on his forehead and back side of the neck. Eventhough, the injured was discharged from the hospital, considering the fact that the alleged offence was happened with previous motive, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

sd/-
27/02/2018

/ TRUE COPY /

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

TO

- 1 THE SUB INSPECTOR OF POLICE
PANDALKUDI POLICE STATION,
VIRUDHUNAGAR DISTRICT,
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

pjl
JAM/14/03/2018/ CM-VR / SAR 3 / 2p-3c

ORDER
IN
CRL OP(MD) No.2238 of 2018
Date :27/02/2018