



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

Wednesday, the Fourteenth day of February Two Thousand Eighteen

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PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP (MD) No.2314 of 2018

VIKRAM

... PETITIONER / ACCUSED NO.1

Vs

STATE, REP.BY
INSPECTOR OF POLICE
PATTUKKOTTAI TOWN POLICE STATION,
THANJAVUR DISTRICT,
(CR.NO.242/2017).

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.D.RAMESHKUMAR Advocate

For Respondent : MR.A.ROBINSON, Government 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 27.01.2018, for the offence punishable under Sections 147, 148, 323, 324, 307 I.P.C, in Crime No.242 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 and other accused formed into an unlawful assembly with deadly weapons and assaulted the defacto complainant. Hence, a case has been registered against the petitioner and other accused for the above said offences.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person, he has been falsely implicated, further added that he has not committed any offence as alleged by the prosecution. He is in judicial custody from 27.01.2018 onwards. Hence, he prays for bail.

4.The learned Government Advocate (Criminal Side) appearing for the State submitted that totally there are 6 accused in this case. The petitioner herein is arrayed as A1. Further

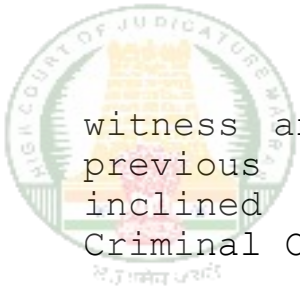


submitted that the petitioner is having 8 previous cases. Hence, he vehemently opposed to grant bail to the petitioner.

5. The submissions made by the learned counsel appearing on either side are considered. It is alleged that during the time of occurrence, the petitioner and other 5 accused in this case assaulted the defacto complainant with an intention to kill the defacto complainant. Now, the petitioner is in the judicial custody from 27.01.2018 onwards, further, the person who sustained injury was discharged from the hospital after completing the treatment. However, the learned Government Advocate (Crl.Side) appearing for the State submitted that the petitioner is having the following 8 previous cases;

Sl.No.	Case details, Crime No. and Section of law and Stage
1.	Pattukottai Town Police Station, Crime No.387 of 2012 U/s.147, 148, 341, 302 I.P.C cases is PT-PRC 33 of 2013 Next hearing -23.02.2018 NBW
2.	Pattukkottai Town Police Station, Crime No.115 of 2013 U/s. 399 I.P.C- PRC 50 of 2015 next hearing 27.02.2018 Summon pending
3.	Pattukkottai Town Police Station, Crime No.586 of 2013 U/s. 448, 294(b), 506(ii) I.P.C., r/w 3 of Tamil Nadu Medical Service Person's and Medical Care service Prevention of Violence and damage or loss of Properties Act 2008-NTF Charged on 11.08.2015.
4.	Pattukkottai Town Police Station, Crime No.178 of 2014 U/s. 341, 294(b), 336, 506(ii), 392 and 397 IPC - CC 60 of 2016 next hearing 14.02.2018. Accused Summon pending.
5.	Pattukkottai Town Police Station, Crime No.307 of 2016, U/s. 147, 148,302 IPC @ 147, 148, 341, 302, 120(B) IPC - PRC 8 of 2017 Summon pending next hearing 21.03.2018.
6.	Pattukkottai Town Police Station, Crime No.242 of 2017 U/s.147, 148, 323, 324, 307 IPC- UI
7.	Pattukkottai Town Police Station, Crime No.9 of 2018 U/s. 399 I.P.C- UI
8.	Pattukkottai Town Police Station, Crime No.31 of 2018, U/s. 341, 294(b), 392 IPC r/w 3(1) PDL Act- arrested on 27.01.2018 -UI

Further he added that the petitioner is a history sheeted. So, considering the submissions made by the learned Government Advocate (Crl.Side) appearing for the State, no doubt, if this type of petitioner will be granted on bail, he may tamper the



witness and hamper the investigation. Hence, considering the previous antecedents of the petitioner, this Court is not inclined to grant bail to the petitioner. Accordingly, the Criminal Original Petition is dismissed.

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14/02/2018

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

TO

- 1 THE INSPECTOR OF POLICE
PATTUKKOTTAI TOWN POLICE STATION, THANJAVUR DISTRICT
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 3 THE SUPERINTENDENT, CENTRAL PRISON, TIRUCHIRAPPALLI

msa
GJM/RR/SAR-3-21.2.18-3P-4C

ORDER
IN
CRL OP(MD) No.2314 of 2018
Date :14/02/2018