



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

Monday, the Nineteenth day of March Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP(MD) No.4296 of 2018

MAYANDI @ KATTA MAYANDI

... PETITIONER / ACCUSED

Vs

THE STATE REPRESENTED BY  
THE INSPECTOR OF POLICE,  
CHERANMBAHADEVI POLICE STATION,  
CHERANMAHADEVI,  
TIRUNELVELI DISTRICT .  
(IN CRIME NO.158 OF 2017)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.SATHYA CHIDAMBARAM Advocate

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

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

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused, was arrested and remanded to judicial custody on 27.06.2017 for the offences punishable under Sections 294(b), 307 and 506(ii) in Crime No.158 of 2017, on the file of the respondent police, seeks bail.

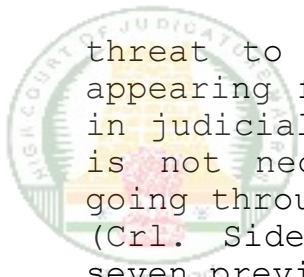
2.The case of the prosecution is that the petitioner is said to have assaulted him by using deadly weapons and also criminally intimidated him. Thus, on complaint, a case has been registered against the petitioner for the above said offences.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he did not commit any offence as alleged by the prosecution and his name has been falsely implicated in this case. He further submitted that the petitioner is in judicial custody from 27.06.2017.

4.The learned Government Advocate (Criminal Side) appearing for the State submitted that the investigation is pending.

5.The submissions made by the learned counsel appearing on either side are considered.

6. It is alleged, during the time of occurrence, the petitioner went to the place, in which, the defacto complainant was present and assaulted him by using Aruval. Further, he made life



threat to him. In the above circumstances, the learned counsel appearing for the petitioner made submission that the petitioner is in judicial custody from 27.06.2017. It is true, further detention is not necessary for completing the investigation. However, on going through the submission made by the learned Government Advocate (Crl. Side), it would appear the petitioner is having following seven previous cases:

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| S.No | Crime No. | Sections                                            |
|------|-----------|-----------------------------------------------------|
| 1    | 133/2014  | 379 IPC Sand theft                                  |
| 2.   | 200/2014  | 379 IPC Sand theft                                  |
| 3.   | 130/2015  | 379 IPC Sand theft                                  |
| 4.   | 146/2015  | 379 IPC Sand theft                                  |
| 5.   | 9/2016    | 147, 294(b), 323, 506(ii) IPC and 3(i) 10 SC/ST Act |
| 6    | 134/2016  | 341, 294(b), 323, 324, 506(ii) IPC                  |
| 7    | 149/2015  | 341, 302 @ 147, 148, 149, 341, 302 and 120(b) IPC   |

7. Considering the previous antecedents of the petitioner, this Court came to the conclusion that if this type of petitioner is enlarged on bail, there may be a chance for tampering the witnesses and hampering the investigation. Hence, this Court is not inclined to enlarged the petitioner on bail.

8. Accordingly, this Criminal Original Petition is dismissed.

sd/-  
19/03/2018

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE INSPECTOR OF POLICE,  
CHERANMBAHADEVI POLICE STATION,  
CHERANMAHADEVI, TIRUNELVELI DIST.
- 2 THE OFFICE INCHARGER,  
BORSTAL SCHOOL, NANGUNERI
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

trp  
JAM/28/03/2018/ CM-VR / SAR 1/ 2p-4c

ORDER  
IN  
CRL OP(MD) No.4296 of 2018  
Date :19/03/2018