



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

Friday, the Twenty Third day of March Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP (MD) No.4598 of 2018

N.MADASAMY,

... PETITIONER /1ST ACCUSED

Vs

THE STATE REPRESENTED BY ITS,
THE INSPECTOR OF POLICE,
PALAYAMKOTTAI, TIRUNELVELI DISTRICT.
(IN CRIME NO.91 OF 2018) ... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.LINGARASU Advocate

For Respondent : MR.A.ROBINSON, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

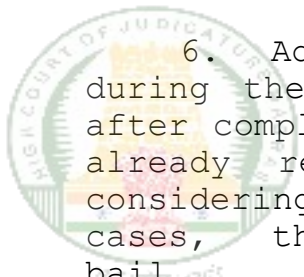
The petitioner, who is arrayed as first accused, was arrested and remanded to judicial custody on 21.02.2018 for the offence punishable under Sections 147, 148, 294(b), 323, 307 and 506(ii) IPC in Crime No.91 of 2018, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that due to previous motive, the petitioner and other accused unlawfully assembled and abused the defacto complainant with filthy leaguings and also assaulted him with hands and Aruval. Hence, on complaint, a case has been registered against the petitioner.

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 21.02.2018.

4. The learned Government Advocate (Criminal Side) appearing for the State submitted that the petitioner is having 12 previous cases and investigation of the case is under progress.

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



6. Admittedly, the defacto complainant, who sustained injury during the time of occurrence, was discharged from the hospital after completing the treatment and the co-accused in this case have already released on bail by the Sessions Court. However, considering the fact that the petitioner is having 12 previous cases, this Court is not inclined to enlarge the petitioner on bail.

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7. Accordingly, this Criminal Original Petition is dismissed.

sd/-
23/03/2018

/ TRUE COPY /

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

TO

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

GJM/RR/SAR-I-6.4.18-2P-4C

ORDER
IN
CRL OP(MD) No.4598 of 2018
Date :23/03/2018