



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

Thursday, the Eleventh day of January Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP(MD) No.519 of 2018

IYYAPPAN

... PETITIONER / ACCUSED RANK:
NOT KNOWN

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
TIRUNELVELI JUNCTION CRIME POLICE STATION,
TIRUNELVELI CITY.
CR.NO.563/2017

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.R.VINOTH BHARATHI, Advocate

For Respondent : M/S.K.SUYAMBULINGA BHARTHI, Govt.Advocate(Crl.Side)

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

ORDER : The Court Made the following order :-

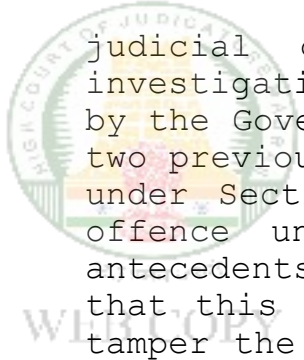
The petitioner / Rank Not Known, who was arrested on 15.11.2017 for the offences punishable under Section 394 of I.P.C., in Crime No.563 of 2017, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 26.08.2017, the petitioner and other accused entered into the house of the defacto complainant and tied the defacto complainant with rope and assaulted her and also stolen the defacto complainant's jewels. Hence, the respondent police registered a case against the petitioner and he was arrested and remanded in judicial custody.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence. He further submitted that petitioner is only suspected accused and the false case has been foisted against the petitioner.

4. The learned Government Advocate (Crl.side) submitted that petitioner is having two previous cases for the offence under Section 307 and 302 IPC. He further submitted that the investigation is completed.

5.Considering the submissions made on either side, it seems that the offences under Sections 394 of I.P.C., in Crime No.563 of 2017, has been registered against the petitioner. He is in



judicial custody from 15.11.2017, even though, part of the investigation is completed in this case. As per the submission made by the Government Advocate (Crl.side), that the petitioner is having two previous cases, in which, one case is registered for the offence under Section 302 IPC and another one case is registered for the offence under Section 307 IPC. So, considering the previous antecedents of the petitioner, this Court came to the conclusion that this type of petitioner released on bail, he may be tried to tamper the witness and hamper the investigation. Hence, this Court is not inclined to grant bail to the petitioner. Accordingly, this petition is dismissed.

sd/-
11/01/2018

/ TRUE COPY /

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

TO

1. THE INSPECTOR OF POLICE,
TIRUNELVELI JUNCTION CRIME POLICE STATION,
TIRUNELVELI CITY.
2. THE SUPERINTENDENT, CENTRAL PRISON,
PALAYAMKOTTAI, TIRUNELVELI DISTRICT.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.519 of 2018
Date :11/01/2018

MS/PM-PN/SAR.4/22.01.2018/2P.4C