



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

Thursday, the Third day of January Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.22477 of 2018

M. SIVA @ SIVALINGAM

... PETITIONER / SOLE ACCUSED

Vs

STATE REP.BY  
THE INSPECTOR OF POLICE,  
SRIVAIKUNDAM POLICE STATION,  
TUTICORIN DISTRICT.  
(IN CRIME NO. 256 OF 2018)

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.S.SATHEESH KUMAR Advocate

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

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

ORDER : The Court Made the following order :-

The petitioner is in judicial custody since 02.12.2018 for the offences punishable under Sections 294(b), 387, 307 and 506(ii) IPC in Crime No.256 of 2018, on the file of the respondent police. He seeks bail.

2.The case of the prosecution is that the defacto complainant is a cooli. On 02.12.2018 at about 08.00 a.m., while he was standing in the bus stop, the petitioner demanded a sum of Rs.500/- and took Rs.100/- from his shirt pocket. When it was resisted by the defacto complainant, the petitioner tried to assault him with aruval and the defacto complainant escaped narrowly and the petitioner also scolded the defacto complainant with filthy language and also made criminal intimidation.

3.The learned counsel for the petitioner would submit that a false case has been foisted against him and he had nothing to do with the alleged offence.

4.The learned Government Advocate (Crl.Side) for the respondent would submit that the petitioner has been arrested under Section 2 (f) of Tamil Nadu Act 14 of 1982 (hereinafter referred as 'the said Act'). Now, the petitioner is detained at Central Prison, Palayamkottai.



5.Considering the fact that the petitioner has been arrested under the said Act, this Court is not inclined to grant bail to the petitioner. Accordingly, this criminal original petition is dismissed.

WEB COPY

sd/-  
03/01/2019

/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE,  
SRIVAICKUNDAM POLICE STATION,  
TUTICORIN DISTRICT.
- 2 THE SUPERINTENDENT,  
CENTRAL PRISON, PALAYAMKOTTAI.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to Mr.S.SATHEESH KUMAR Advocate SR.No.146

PS/JC/SAR-4/08.01.2019/2P/5C

ORDER  
IN  
CRL OP(MD) No.22477 of 2018  
Date :03/01/2019