



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

Date : 06/02/2020

WEB COPY

PRESENT

The Hon'ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD) . No.2055 of 2020

Radha Krishnan

... Petitioner/Accused No.5

Vs

The State rep.by
The Inspector of Police,
South Gate Police Station,
Madurai.
Crime No.6 of 2020

... Respondent/Complainant

For Petitioner : M/s.D.Malaichamy, Advocate.

For Respondent : Ms.M.Ananthadevi,
Government Advocate (Crl.Side)

For Intervenor : Mr.G.Mariappan, Advocate.

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

PRAYER :-

for Bail in Crime No.6 of 2020 on the file of the respondent police.

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner, learned counsel appearing for the intervenor and the learned Government Advocate(Crl. Side) appearing for the respondent.

2. The petitioner is in custody since 04.01.2020 for the offences punishable under sections 147, 148, 294(b), 323, 452, 506 (ii) and 109 of I.P.C., and Section 3(1) of TNPPDL Act, in Crime No.6 of 2020 on the file of the respondent police. He seeks bail.

3. The petitioner's counsel would contend that the petitioner is an electrician by avocation and that he has been engaged by the fourth accused Arumuga Nainar to carry out certain works and that is why, he went to the house in question.

4.The intervenor's counsel would point out that there is a civil dispute pending in respect of the house in question between the defacto complainant and A1 to A4. O.S.No.248 of 2019 is pending before the then Additional District Judge, Madurai in this regard.



5. Her specific contention is that fourth accused-Arumugam Nainar in order to oblige A1 to A3 has been creating encumbrances.

6. The prosecution case is that A5 to A11 are the henchmen of A4. The third accused Parathkumar is the son-in-law, while A1 and A2 are brothers. The photographs were also produced by the intervenor. The police official instructing the Government Advocate (Crl.side) identified the petitioner Radha Krishnan in the photographs. Radha Krishnan is seen brandishing some cutter.

7. The prosecution case is that the accused herein has committed the act in question in order to terrorize the defacto complainant.

8. I find the prosecution case to be more probable.

9. The learned Government Advocate (Crl.side) pointed out that the principal accused namely A1 to A4 are yet to be arrested.

10. I am, therefore, of the view that the grant of bail obviously is not warranted. Hence, this criminal original petition stands dismissed.

sd/-
06/02/2020

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/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE INSPECTOR OF POLICE,
SOUTH GATE POLICE STATION, MADURAI.

2. THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

3. THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.G.MARIAPPAN, Advocate (SR-2534[I] dated 07/02/2020)

ORDER
IN
CRL OP(MD) No.2055 of 2020
Date : 06/02/2020

TK/VR/SAR.2/10.02.2020/2P/5C