



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/04/2021

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD)No.5778 of 2021

Saribu @ Mohamed Sarif

... Petitioner/Accused No.1

Vs

State Rep. by
The Inspector of Police,
Sayalkudi Police Station,
Ramanathapuram District.
Crime No.138 of 2021.

... Respondent/Complainant

For Petitioner : Mr.Venkateswaran.R,
Advocate.

For Respondent : Mr.K.Dinesh Babu,
Additional Public Prosecutor

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

PRAYER :- For Bail in Crime No.138 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who was arrested on 04.04.2021 for the offences punishable under Sections 147, 148, 341, 294(b), 324 and 307 IPC in Crime No.138 of 2021 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that there was previous enmity between the petitioner's family and the defacto complainant's family. As a consequence, on 31.03.2021, at about 09.30 pm., when the defacto complainant's father returning to home, the petitioner and other accused said to have attacked him with aruval and caused severe injuries. As a result, he suffered severe head injury. On hearing the alarm, the family members of the defacto complainant rushed to the occurrence place. At that time, all the accused persons threatened the family members of the defacto complainant. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the
<https://hccservices.courts.gov.in/hccservices/> innocent person and he has been falsely implicated



in this case. He further submitted that the petitioner is in judicial custody from 04.04.2021. Therefore, he prayed for bail to the petitioner.

4.The learned Government Advocate(Crl.Side) appearing for the respondent strongly opposed this petition on the ground that the injured person in this case was suffered with severe head injury and he had taken treatment from 31.03.2021 to 12.04.2021 and the co-accused in this case are still absconding.

5.Considering the nature and brutal attack against the injured and the fact that co-accused still absconding, this Court is not inclined to grant bail to the petitioner. Accordingly, this criminal original petition is dismissed.

sd/-
27/04/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

- 1 THE INSPECTOR OF POLICE,
SAYALKUDI POLICE STATION,
RAMANATHAPURAM DISTRICT.
- 2 THE OFFICER INCHARGE,
SUB JAIL, MUDUKULATHUR.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.AJMAL ASSOCIATES, Advocate (SR-3452[I] dated 28/04/2021)

ORDER
IN
CRL OP(MD) No.5778 of 2021
Date : 27/04/2021

GNS

<https://hcmvscs.court.gov.in/cse/1705.2021/2P/5C>