



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

Date : 16/07/2021

PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN
CRL OP(MD). No.9323 of 2021

WEB COPY

P. Navaneetha Krishnan,

... Petitioner/1st Accused

Sate represented by

Vs

The Inspector of Police,
Vadipatti Police Station,
Madurai District.
Crime No.306 of 2021.

... Respondent/Complainant

Manimaran.I

...Intervener in Crl MP(MD)4881/2021

For Petitioner : M/s. Aarumugam A,
Advocate.

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

For Intervener: M/s. Sujai Krishna.P

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

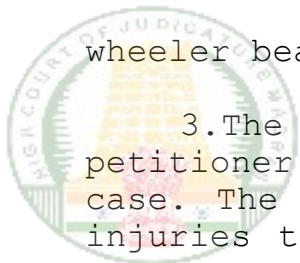
PRAYER :-

For Bail in Crime. No. 306 of 2021 on the file of the
Respondent Police

ORDER : The Court made the following order :-

The petitioner/A1, who was arrested on 17.06.2021 for the offences punishable under Sections 294(b), 323,353,307 of IPC and Section 4 of TNPHW Act in Crime No.306 of 2021 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant is working as a Gr.I Constable in Vadipatti Police Station. On 17.06.2021 he along with Gr.I constable Manimaran on receiving an intimation from one Prakash with regard to a dispute through phone, they proceeded to the spot and found Navaneethakrishnan and his mother Pappa had been quarreling and abusing one Lakshmi. Navaneetha Krishnan was beating Lakshmi. He and Manimaran asked them what had happened and tried to pacify them. Accused Pappa abused the police in singular sense and said that the police will always speak against them. The petitioner herein scolded the defacto complainant and Manimaran and told that he is working in Indian Army, police is nothing and tried to push down lakshmi. When they tried to intervene Navaneethakrishnan pushed the Manimaran down and and bite the left portion of his nose and spit it. Then he criminally intimidated them and escaped from there using a two



wheeler bearing Reg. No TN 59 AR 6737.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. The defacto complainant and the victim in this case caused injuries to him. He belongs to Indian Army and the local police cannot prosecute the petitioner. He can only be prosecuted under the Army Act. He would further submit that the injured has been discharged from the hospital. He further submitted that the petitioner is in judicial custody from 17.06.2021, hence he seeks bail.

4. The learned counsel for the intervenor/ would submit that he along with the defacto complainant had only involved in discharging their official duties. When he tried to intervene in the fight between Lakshmi and the accused they scolded them in filthy language and the left nose of the victim was bitten and spit by the accused Navenetha Krishanan. He also produced the copies of photos showing the injuries suffered by the intervenor. He further submitted that though the injured was discharged from the hospital he was again admitted in the hospital for further treatment and plastic surgery was done yesterday and admitted in the hospital as inpatient.

5. The learned Additional Public Prosecutor appearing for the respondent opposed the bail petition on the ground that the investigation is not yet completed.

6. It is seen from the facts of the case that when the defacto complainant and the intervenor were discharging their duty the intervenor was abused, pushed down and his left side portion of the nose was bitten and spit out by the petitioner. Photos show the nature of injuries sustained by the victim. The accused had caused serious injuries and it disfigured the face of the victim. Now the injured has undergone plastic surgery and still taking treatment as inpatient.

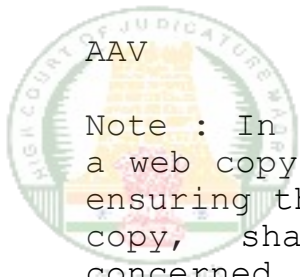
7. Taking into consideration all these facts and the injuries sustained by the victim, this Court is not inclined to grant bail to the petitioner.

8. With regard to the submission that police cannot try the petitioner since he is governed by Arms Act, the learned Magistrate is directed to follow the procedures Under Section 475 of Cr.P.C.

9. Hence the petition stands dismissed.

sd/-
16/07/2021

/ TRUE COPY /



AAV

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.

WEB COPY

TO

1. The Judicial Magistrate, Vadipatti
2. Do-Through The Judicial Magistrate, Madurai
3. The Inspector of Police,
Vadipatti Police Station, Madurai District.
4. The Superintendent,
Central prison, Madurai.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai

ORDER
IN
CRL OP (MD) No.9323 of 2021

Date : 16/07/2021

CN(22.07.2021) 3P 6C