



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 13/09/2021

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PRESENT

The Hon'ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.13404 of 2021

Suriyaprakash

... Petitioner/Accused No.2

Vs

State rep. by,
The Inspector of Police,
Ammapettai Police Station,
Thanjavur District.
(Crime.No.824 of 2021).

... Respondent/Complainant

For Petitioner : Mr.C.Senthil Murugan
Advocate.

For Respondent : Mr.T.Senthilkumar,
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail in Crime No.824 of 2021 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/A2 herein, who was arrested on 05.08.2021 for the alleged offence under Sections 294(b), 324 & 307 of I.P.C, in Crime No.824 of 2021 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 04.08.2021 this petitioner along with A1 is said to have stolen the two wheeler at Thiruvavur and taken the same to Thanjavur. At that time when the defacto complainant along with his friends chased this petitioner, he dashed the vehicle of the defacto complainant and the 1st accused assaulted the defacto complainant on his head and thereby committed the offences. Hence, the complaint.



3.The learned counsel for the petitioner would submit that the entire allegation is against the 1st accused and this petitioner was implicated since he is supposed to be a friend of the 1st accused. He would further submits that the defacto complainant and his friends brutally assaulted this petitioner and he resisted their attack, this apart, he has not committed any offence. He would further submit that the injured person in the alleged occurrence has been discharged from the hospital as early as on 11.08.2021.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the petitioner is accused No.2. When the defacto complainant was trying to catch the accused persons, first accused absconded from the place of occurrence and this petitioner intimidated the public with aruval and also caused injury to the defacto complainant. He would further submit that the petitioner has three previous cases to his credit. Out of which, one case is relating to the offence under NDPS Act and another one is similar in nature.

5.Considering the nature of offence, and the antecedents of the petitioner, this Court is not inclined to grant bail to the petitioner.

6.Accordingly, this criminal original petition is dismissed.

sd/-
13/09/2021

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

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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,
Ammapettai Police Station, Thanjavur District.

2. The Superintendent, Central Prison, Thanjavur.

<https://hcservices.ecourts.gov.in/hcservices/>



3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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ORDER IN
CRL OP(MD) No.13404 of 2021
Date : 13/09/2021

TR/SKN/SAR-I (17.09.2021) 3P 4C