



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 22/10/2021

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.16050 of 2021

WEB COPY

Dharma @ Dharmaraj

... Petitioner / Accused No.1

Vs

The State Rep. by
The Inspector of Police,
Somarasampet Police Station,
Trichy District.
(Crime No.678 of 2021)

... Respondent / Complainant

For Petitioner : Mr.D.S.Haroon Rasheed,
Advocate.

For Respondent : Mr.T.Senthil Kumar,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.678 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A1, who was arrested on 30.07.2021 for the offence punishable under Sections 294(b), 323, 324, 307 and 506(ii) of IPC r/w Section 4 of TNPHW Act altered into Sections 147, 148, 294(b), 323, 324, 302 and 506(ii) of IPC r/w Section 4 of TNPHW Act, in Crime No.678 of 2021 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the defacto complainant and the first accused are friends and doing plumbing work. On 26.07.2021, at about 11.00 P.M, the first accused went to the house of the defacto complainant and talked with his wife and it was warned by the defacto complainant. To the wreak vengeance, on 29.07.2021, A1 along with other accused joined together, assaulted the defacto complainant and his wife and caused injuries. One Mugilarasan, went to pacify them, A1 assaulted him with aruval and caused injury on his head and he died in the hospital. Hence, the complaint.

<https://hcservices.courtsofmadras.gov.in/hcservices> 3.The learned counsel for the petitioner submits that there was a wordy quarrel between the petitioner and the defacto complainant and the deceased intervened and sustained injuries and subsequent to



that, he died. This is the second bail petition. Co-accused were already enlarged on bail. The petitioner is in judicial custody from 30.07.2021 and hence, he seeks for grant of bail.

4.The learned Additional Public Prosecutor appearing for the respondent would submit that the petitioner is the main accused in this case and the investigation is yet to be completed. If the petitioner is enlarged on bail, it may affect the investigation and hence, he opposed for grant of bail to the petitioner.

5.Considering the nature of offence committed by this petitioner, this Court dismissed the earlier bail petition in Crl.OP (MD)No.14330 of 2021 on 24.09.2021.

6.Considering the gravity of offence and there is no change in circumstances of the case to consider the present petition, this Court is not inclined to enlarge the petitioner on bail.

7.Accordingly, this Criminal Original Petition is dismissed.

sd/-
22/10/2021

/ TRUE COPY /

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

PNM/msa

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 SUPERINTENDENT,
CENTRAL PRISON, TRICHY.
- 2.THE INSPECTOR OF POLICE,
SOMARASAMPET POLICE STATION,
TRICHY DISTRICT.
- 3.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.