



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.15932 of 2021

WEB COPY

S.Ramesh

... Petitioner / Accused No.13

Vs

State Rep. by
The Inspector of Police,
Mandaikadu Police Station,
Kanyakumari District.
(Cr.No. 76/2021).

... Respondent / Complainant

For Petitioner : Mr.A.Mohamed Hashim,
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. 76 of 2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A13 who was arrested on 29.09.2021 for the offence under Sections 147, 148, 294(b), 307, 323, 324 and 506(ii) I.P.C, in crime No.76 of 2021 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the friend of the petitioner one Ajith was arrested by the respondent police regarding the sale of ganja and the petitioner and other accused presumed as if the defacto complainant is the informant to the police. Due to that motive, on 21.08.2021, the accused persons joined together and assaulted the defacto complainant by using deadly weapons with an intention to commit murder. Hence, the complaint.

3.The learned counsel for the petitioner claims that the petitioner is an innocent, he has not committed any offence as alleged by the prosecution and there is no overt act against this petitioner. He would further submit that the injured was discharged from the hospital. The petitioner is in judicial custody from 29.09.2021. Hence, he prays for grant of bail to the petitioner.



4.The learned Additional Public Prosecutor would submit that the investigation is yet to be completed and there are 15 accused persons in the case and they assaulted the defacto complainant in a rude manner. Hence, he opposed for grant of bail to the petitioner.

5.Though the injured was discharged from the hospital, considering the gravity of offence, grievous injuries sustained by the defacto complainant and impetuous objection raised by the learned Additional Public Prosecutor, this Court is not inclined to enlarge the petitioner on bail.

6.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 INSPECTOR OF POLICE,
MANDAIKADU POLICE STATION,
KANYAKUMARI DISTRICT.
- 2.THE OFFICER INCHARGE,
SUB JAIL, NAGERCOIL.
- 3.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER IN
CRL OP(MD) No.15932 of 2021
Date :22/10/2021

SB/VR/SAR-III/28.10.2021/2P/4C