



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/11/2021

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD) . No.18253 of 2021

1. Gugan
2. Dinakaran @ Elayaraja ... Petitioners/Accused
Nos.1 & 4

Vs

State rep.by
The Inspector of Police,
Kallidaikuruchi Police Station,
Tirunelveli District.
(Crime No.588 of 2021). ... Respondent/Complainant

For Petitioners : M/s.Saravanakumar C, Advocate.

For Respondent : M/s.R.Meenakshi Sundaram,
Additional Public Prosecutor

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

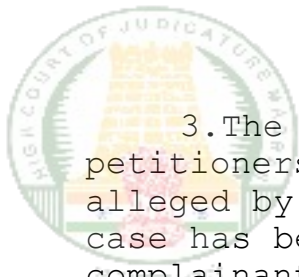
PRAYER :-

For Bail in Crime No.588 of 2021 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused, who were arrested and remanded to judicial custody on 08.11.2021 for the offences punishable under Sections 147, 294(b), 352, 436 and 506(ii) IPC and Section 4 of TNPHW ACT, in Crime No.588 of 2021 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the defacto complainant sold brandy bottles to the Accused Nos.1 and 2 and they have not paid money for the same. Due to which, on 07.11.2021, there arose wordy quarrel between them and the accused persons abused the defacto complainant with filthy language and threatened him with dire consequences and they have also set fire to the thatched roof of the house of the defacto complainant. Hence, the complaint.



3. The learned counsel for the petitioners would submit that the petitioners are innocent and they have not committed any offence as alleged by the prosecution. He would further submit that the counter case has been registered in Crime No.587 of 2021 against the defacto complainant.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that the accused persons set fire to the thatched roof of the house of defacto complainant and no one was injured. He would further submit that counter case in Crime No.587 of 2021, has been registered against the defacto complainant.

5. Considering the seriousness and gravity of the alleged offence and also the facts that the petitioners were arrested only on 18.11.2021, that the investigation is pending as stated by the learned Additional Public Prosecutor and that the counter case in Crime No.587 of 2021 is pending, this Court is not inclined to grant bail to the petitioners at this point of time.

7. Accordingly, the Criminal Original Petition is dismissed.

Sd/-
22/11/2021

/ TRUE COPY /

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

DAS

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,
KALLIDAIKURUCHI POLICE STATION,
TIRUNELVELI DISTRICT.
2. THE SUPERINTENDENT,
CENTRAL PRISON,
PALAYAMKOTTAI,
TIRUNELVELI DISTRICT.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP (MD) No.18253 of 2021
Date : 22/11/2021