



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Twentieth day of January Two Thousand Twenty Two

PRESENT

The Hon`ble Mrs Justice T.V. THAMILSELVI

CRIMINAL ORIGINAL PETITION No.1017 of 2022

ARUN @ ARUN HASSAIN

[PETITIONER / ACCUSED]

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
M-4, THUDIYALUR POLICE STATION,
COIMBATORE DISTRICT.
CRIME NO.1465 OF 2021.

[RESPONDENT]

For Petitioner : M/S.K.BALASUBRAMANIAM Advocate

For Respondent : MR. A.GOKULAKRISHNAN, Additional Public Prosecutor

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner who was arrested and remanded to judicial custody on 30.11.2021 for the offences under Sections 147, 148, 294(b), 307 and 506(ii) of IPC, in Crime No.1465 of 2021, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the de facto complainant is running a cable business and his friend named one Sathish is running a bakery. The said Sathish's friends namely Karthi and Jinnah were having a dispute in sharing the profit and loss in their business. Hence, on 21.10.2021 at about 9.45 hrs. the said Sathish along with the defacto complainant went to compromise them. At that time, all of a sudden, the accused assaulted the deacto complainant with knife due to which, he sustained blood injuries. Hence, the complaint.



3.The learned counsel for the petitioner would submit that the petitioner is no way connected with the alleged offence and he has been falsely implicated in this case. Admittedly, the petitioner has 10 previous cases out of which in 9 cases the petitioner has been acquitted and one case has been withdrawn by the prosecution. He would further submit that the petitioner has been suffering incarceration for more than 50 days from 30.11.2021. Hence, he would pray for grant of bail to the petitioner.

4.The learned Additional Public Prosecutor would raise strong objection stating that totally there are 3 accused in this case and the petitioner is arrayed as A1 and that the victim has sustained serious injuries. He would further submit that the petitioner is a history sheeter and he has got 14 previous cases and he is an habitual offender and if he is released on bail, there is every possibility of the petitioner getting abscond and the investigation would be stalled.

5. On seeing the nature of offence and the antecedents of the petitioner and there is no change in circumstances, this court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

20/01/2022

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE.

2 THE INSPECTOR OF POLICE,
M-4, THUDIYALUR POLICE STATION,
COIMBATORE DISTRICT.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.K.BALASUBRAMANIAM Advocate on payment of necessary charges

CRL OP.1017/2022

Date :20/01/2022

RW 31/01/2022