



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Thursday, the Fifth day of May Two Thousand Twenty Two
PRESENT

The Hon`ble Mr Justice P. VELMURUGAN
CRIMINAL ORIGINAL PETITION No.10533 of 2022

NETHAJI

[PETITIONER / ACCUSED]

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
THANIPADI POLICE STATION,
THANIPADI, THIRUVANNAMALAI DISTRICT.
(CR.NO.164 OF 2022)

[RESPONDENT]

For Petitioner : M/S.S.SARANRAJ Advocate

For Respondent : M/s.G.V.Kasthuri(Additional Public Prosecutor)

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner/A2, who was arrested and remanded to judicial custody on 05.04.2022 for the alleged offence punishable under Sections 294(b), 323, 307, 109 IPC in Crime No.164 of 2022 on the file of the respondent/police, seeks bail.

2. The case of the prosecution is that due to money transaction, there was a wordy quarrel between the petitioner and the de facto complainant and the petitioner abused the de facto complainant with filthy language and also assaulted him with deadly weapons. Hence, the complaint.

3. The learned counsel for the petitioner would submit that totally three accused are involved in the alleged offences wherein the petitioner has been arrayed as A2. He would further submit that A1 only borrowed money from the de facto complainant and the petitioner is no way connected with the alleged offences. He would submit that there is no specific overtact against the petitioner and that A1 has moved anticipatory bail before this Court. He would further submit that the petitioner was in incarceration from 05.04.2022 and the petitioner is the only earning person for his family and therefore, he prays for grant of bail.



4. The learned Additional Public Prosecutor for the respondent would submit that due to loan transaction, the petitioner and other accused went to the house of the de facto complainant and assaulted him with knife. She would further submit that the injured has been discharged from the hospital and there is no previous case against the petitioner. She would further submit that the investigation has been completed and other co-accused are absconded and therefore, this petition is to be dismissed.

5. Heard both sides.

6. Admittedly, totally there are three accused involved in this case and the petitioner, who was arrayed as A2 arrested and remanded to judicial custody on 05.04.2022 for the alleged offence punishable under Sections 294(b), 323, 307, 109 IPC. At the time of occurrence, the petitioner and other accused went to the house of the de facto complainant and assaulted him with knife. The petitioner has filed CrI.M.P.No.1321 of 2022 before the Principal District and Sessions Judge, Thiruvannamalai and the same was dismissed on 21.04.2022 and hence, the petitioner is before this Court seeking bail.

7. Considering the serious nature of the offence, considering the fact that the other co-accused are absconded, there is a specific overtact against the petitioner and if the petitioner is released on bail, there is a possibility of tampering witnesses or he will abscond, this Court is not inclined to grant bail to the petitioner.

Accordingly, this Criminal Original Petition is dismissed.

-sd/-

05/05/2022

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 INSPECTOR OF POLICE,
THANIPADI POLICE STATION,
THANIPADI, THIRUVANNAMALAI DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.



3 THE OFFICER INCHARGE,
SUB JAIL, THIRUVANNAMALAI

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

CRL OP.10533/2022

Date :05/05/2022

RVR 06/05/2022