



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 22/06/2022

PRESENT

The Hon`ble Mr.Justice P.VELMURUGAN

CRL OP(MD). No.10306 of 2022

WEB COPY

Thangadurai @ Sakaya Thangadurai

... Petitioner/Petitioner
/Accused No.1

Vs

State Rep.by
The Inspector of Police,
Courtallam Police Station,
Courtallam,
Tenkasi District.
(Crime No.184/2022).

... Respondent/Respondent
/Complainant

For Petitioner : M/s.S.Palani Velayutham, Advocate.
For Respondent : Mr.S.S.Madhavan,
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail in Crime No.184/2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner was arrested and remanded to judicial custody on 14.05.2022 for the offences punishable under Sections 147, 448, 342, 366, 294(b), 324 and 506(ii) IPC, in Crime No.184 of 2022 on the file of the respondent police. Hence, he seeks bail.

2.This is the second bail application filed by the petitioner.

3.The learned counsel for the petitioner would submit that earlier bail application filed by the petitioner was dismissed only on the ground that the victim was not examined. Now, the victim has been examined and her statement has been obtained. Considering the change of circumstances and also the period of incarceration, the petitioner may be released on bail.

4.The learned Government Advocate (Crl.Side) for the respondent has produced the statement of the victim recorded under Section 164 of Cr.P.C., and submit that in the statement the victim has clearly narrated the incidents and also there is a specific overtact against the petitioner and there is a life threat to the victim. Therefore, this bail petition is to be dismissed.



5. Heard the learned counsel for the petitioner, the learned Government Advocate (Crl.Side) for the respondent and perused the records.

6. Admittedly, the petitioner arrayed as first accused in Crime No.184 of 2022. When earlier bail application came, it was in preliminary stage. Therefore, the same was dismissed. However, now, most part of the investigation is completed and charge sheet is not yet filed. However, the victim was examined by the Investigating Officer and her statement was recorded. A perusal of the same would show a specific overtact against the petitioner and also there is a life threat to the victim.

7. Considering the serious nature of the offences and also the specific overtact against the petitioner, if the petitioner is released on bail, there is a possibility of tampering the witnesses and causing life threat to the victim. Therefore, under these circumstances, this Court is not inclined to enlarge the petitioner on bail. Therefore, this Criminal Original Petition stands dismissed.

sd/-
22/06/2022

/ TRUE COPY /

24/06/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE SUPERINTENDENT, CENTRAL JAIL, PALAYAMKOTTAI.
- 2 THE INSPECTOR OF POLICE, COURTALLAM POLICE STATION, COURTALLAM, TENKASI DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.10306 of 2022
Date :22/06/2022

RS/JM/SAR.3 (24.06.2022) 2P-4C