



WEB COPY

(1)CrI.OP(MD)No



2:-

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Dated: 28/07/2022

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN

CrI.OP(MD)Nos.11911 and 11912 of 2022

(1)CrI.OP(MD)No.11911 of 2022:-

1.Karthikeyan
2.Edison @ Edi

: Petitioners/Accused No.1 and 7

Vs.

The State rep. By,
The Inspector of Police,
Nachiyarkoil Police Station,
Thanjavur District.
(Crime No.393 of 2022)

: Respondent/Complainant

For Petitioners : Mr.B.Jameelarasu, Advocate

For Respondent : Mr.B.Thanga Aravindh
Government Advocate (Criminal side)

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

PRAYER :-

For Bail in Crime No.393 of 2022 on the file of the Respondent Police.

(2).CrI.OP(MD)No.11912 of 2020:-

1.Karthikeyan
2.Edison @ Edi

: Petitioners/Accused No.1 and 2

Vs.

The State rep. By
The Inspector of Police,
Nachiyarkoil Police Station,
Thanjavur District.
(Crime No.394 of 2022)

: Respondent/Complainant



For Petitioners : Mr.B.Jameelarasu, Advocate

For Respondent : Mr.B.Thanga Aravindh
Government Advocate (Criminal side)

WEB COPY

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

PRAYER :-

For Bail in Crime No.394 of 2022 on the file of the Respondent Police.

COMMON ORDER : The Court made the following order:-

The petitioners in Crl.OP(MD)No.11911 of 2022, who are arrayed as A1 and A7 were arrested, on 14/06/2022 and remanded to judicial custody for the alleged offences punishable under sections 147, 148, 294(b), 363, 324, 342 and 307 IPC, in Crime No.393 of 2022, seek bail. Whereas the petitioners in Crl.OP(MD)No.11912 of 2022, who are arrayed as A1 and A2 were arrested, on 14/06/2022 and remanded to judicial custody for the alleged offences punishable under sections 294(b), 324 and 307 IPC, in Crime No.394 of 2022 seek bail.

3.The case of the prosecution in Crl.OP(MD)No.11911 of 2022 is that the de-facto complainant has lodged a complaint stating that he was working as Carpenter under A1. Since proper charge was not given to him, he stopped the work. So, A1 started threatening him. Due to previous enmity, on 14/06/2022 at about 9.30 am, the accused persons waylaid him, caused injury and kidnapped him in a car by detaining him in the house of A1. He was severely attacked by wooden log. He was rescued by his friends and later, admitted in the hospital. Based upon the above said occurrence, the case has been registered against seven accused persons. They have been arrested on 14/06/2022 and remanded to judicial custody.

4.Seeking bail, the petitioners, who are arrayed as A1 and A7 have preferred Crl.OP(MD)No.11911 of 2022 on the ground that they have been arrested, on 14/06/2022 and ever-since, they are in custody.

5.The learned Government Advocate (Criminal side) would submit that subsequent to this occurrence, a case in Crime No.394 of 2022 was registered against Karthikeyan-A1 and others, on the basis of the complaint given by one Tamil Selvan, wherein, it has been stated that on 14/06/2022 at about 13.15 pm, at the instigation of A1, his associates, assaulted him stating that he is supporting one Vigneshwaran, who is the de-facto complainant in respect of Crime No.393 of 2022 and he was also assaulted and sustained injuries and he was also taken to the hospital. Seeking bail, A1 and A2 namely Karthikeyan and Edison @ Edi have filed Crl.OP(MD)No.11912 of 2022.



6.Both matter were heard together and this common order is passed.

7.It appears that because of some issue between Vigneshwaran and A1, trouble has arisen, over which, two occurrences said to have taken place. Except that, there was no previous enmity between the above said Vigneshwaran and the accused persons. Trouble has started because of some payment and non-payment of salary.

8.Reading of the CD file shows that A1 was proceeded under section 110 Cr.P.C by the Revenue Divisional Officer, Kumbakonam on the ground that by violating the bound, he again committed two offences namely the offences punishable under sections 393 and 394 IPC. He executed a bond to keep good conduct, on 18/04/2021. It is also seen that he was a history sheeted.

9.Considering the antecedent of the first petitioner namely Karthikeyan, he is not entitled for bail at this stage. If bail is granted, there is every likelihood for committing the very same offence in future also. Similarly, the second petitioner Edison @ Edi is also having bad antecedent, involving one murder case in Crime No.448 of 2016 and another 307 IPC offence in Crime No.295 of 2014. So, he is also not entitled for bail at this stage like that of the first accused Karthikeyan.

10.So, both criminal original petitions are **dismissed**.

sd/-
28/07/2022

/ TRUE COPY /

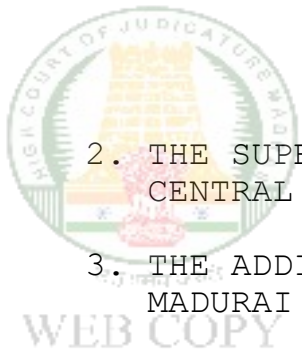
/08/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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,
NACHIYARKOIL POLICE STATION,
THANJAVUR DISTRICT.

<https://www.mhc.tn.gov.in/judis>



2. THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.

3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+2 CC to M/s.B.JAMEEL ARASU, Advocate (SR-7891 & 7892[I] dated
29/07/2022)

ORDER

IN

CRL OP(MD) No.11911 and
11912 of 2022

Date :28/07/2022

er

USK/VR/SAR-IV/01.08.2022/4P/6C