



WEB COPY

CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Reserved on : 12.09.2022

Pronounced on : 14.09.2022

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD). No.14838 of 2022

1. Mathan @ Manmohan

2. Sankar ... Petitioners/Accused No.1 & 2

Vs

The State rep.by,
The Inspector of Police,
S.P Police Station,
Ramanathapuram District.
Crime No. 108 of 2022.

... Respondent/Complainant

For Petitioner : M/s.Muthusamy.P,
Advocate.

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

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

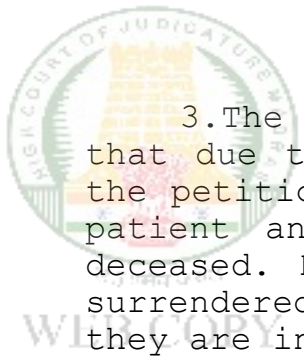
PRAYER :-

For Bail in Crime No. 108 of 2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/A1 and A3, who were arrested and remanded to judicial custody on 18.07.2022 for the offences punishable under Sections 147,148,294(b),448,323,302 of IPC and section 4 of TNPHW Act in Crime No.108 of 2022, on the file of the respondent police, seek bail.

2.The case of the prosecution is that on the date of occurrence due to previous enmity, the petitioners along with other accused unlawfully assembled in front of the house of the defacto complainant quarrelled with him and assaulted him with hands and also kicked him with legs. The injured was taken to hospital, where he was declared dead. Hence, the complaint.



3.The learned counsel for the petitioners would submit that due to previous enmity a false case has been foisted against the petitioners. He would also submit that the deceased was a heart patient and there was no external injuries on the body of the deceased. He would further submit that the petitioners voluntarily surrendered before the learned Judicial Magistrate, Villupuram and they are in custody from 18.07.2022, hence he seek bail.

4.The learned Additional Public Prosecutor would submit that there are totally five accused in this case and the petitioners herein are A1 and A3. Due to land dispute the accused persons have beaten the deceased indiscriminately and caused his death. Further A2, A4 and A5 are still absconding.

5.Considering the facts and circumstances of the case and also considering the role played by the petitioners and also taking note of the fact that some of the accused persons are still absconding and also the fact that the investigation is at the preliminary stage, this Court is not inclined to grant bail to the petitioners.

6. In the result, the petition stands dismissed.

sd/-

14/09/2022

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/09/2022

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

AAV

TO

1. THE OFFICER IN CHARGE,
DISTRICT PRISON, RAMANATHAPURAM.
2. THE INSPECTOR OF POLICE,
S.P POLICE STATION,
RAMANATHAPURAM DISTRICT.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.MUTHUSAMY.P Advocate SR.No.10006

ORDER

IN

CRL OP(MD) No.14838 of 2022

Date :14/09/2022

RK/SBN/SAR-II(15/09/2022) 2P/5C

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