



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Reserved on : 29/09/2022
Delivered on : 30/09/2022
PRESENT

WEB COPY

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD) . No.17302 of 2022

Nallusamy

... Petitioner/5th Accused

Vs

The State through
The Inspector of Police,
Palanichettipatti Police Station,
Theni District.
(Crime No.287 of 2022)

... Respondent/Complainant

For Petitioner : Mr.S.MUNIYANDI, 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.287 of 2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/sole accused, who was arrested and remanded to judicial custody on 08.08.2022 for the offences punishable under Sections 147, 148, 294(b), 323, 324, 302 of IPC and Section 4 of Tamilnadu Prohibition of Harassment of Women Act, in Crime No.287 of 2022, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that there was a wordy quarrel between the first accused and the defacto complainant. when the deceased / father of the defacto complainant has tried to pacify them, the petitioner pushed the deceased with hand in the wordy quarrel and the deceased died.

3. On the side of the petitioner, it is stated that the petitioner is accused No.5 in this case and he is in custody from 08.08.2022, i.e., for the past 51 days. The only overt act against the petitioner is that he accompanied the other accused and he has been falsely implicated in this case and prayed the petitioner to be released on bail.



4. On the side of the prosecution, it is stated that 1 accused involved in the offence and the petitioner is arrayed as A5. Investigation in this case is pending. The petitioner herein has attacked the defacto complainant's mother with hand and wooden log. The petitioner is having one previous cases. The father of the defacto complainant died in the occurrence and 4 others were injured. The injured were discharged from the hospital. A2 and A6 were already released on bail by the Mahila Court, Theni, on 24.09.2022. Earlier petition filed by the petitioner in Crl.O.P.(MD)No.17302 of 2022, was dismissed on 13.09.2022, this is the second bail petition and prayed the petition to be dismissed.

5. Considering the facts and circumstances of the case and considering the grievous nature of the offence and also considering the fact that the investigation is still pending, this Court is not inclined to release the petitioner on bail, at the present stage. Hence, this Petition is dismissed.

sd/-

30/09/2022

/ TRUE COPY /

/10/2022

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,
PALANICHETTIPATTI POLICE STATION,
THENI DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.17302 of 2022
Date : 30/09/2022

LS

SA/VR/SAR.2/11.10.2022/2P/3C