



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03/01/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGOVAN

CRL OP(MD). No.20749 of 2021

Palraj ... Petitioner/Accused No.3

Vs

State represented by
The Inspector of Police,
Soolakarai Police Station,
Viruthunagar District.
(Crime No. 187 of 2021).

... Respondent/Complainant

For Petitioner : Mr. Banuprasath.P.,
Advocate.

For Respondent : Mr.SS.Madhavan,
Government Advocate (Crl.Side)

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

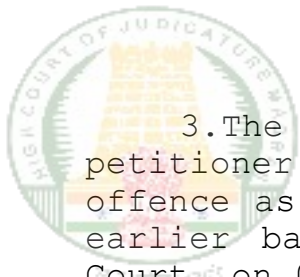
PRAYER :-

For Bail in Crime No. 187 of 2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused No.3 herein, who was arrested on 17.11.2021 for the alleged offence under Sections 294(b), 307 and 506(ii) of IPC, in Crime No.187 of 2021, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that due to illegal intimacy between A1 and the wife of the defacto complainant, trouble arose between the parties. Because of that, on 16.11.2021, at about 06.45 p.m, the petitioner along with other accused persons abused the defacto complainant in filthy language and attacked him and his father with knife and wooden stick and thereby caused injuries. Hence, this complaint.



3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He would further submit that earlier bail application of the petitioner was dismissed by this Court, on 06.12.2021. He was in judicial custody from 17.11.2021 and injured was discharged from the hospital. Hence, he seeks bail to the petitioner.

4.The learned Government Advocate (Crl.Side) would submit that this is the second bail application. Earlier bail application filed by the accused came to be partly allowed. Insofar as the petitioner herein was concerned, it was dismissed on the ground that there is specific overt act has been attributed against the petitioner. He would further submit that there are four injuries were made upon the injured person, i.e., cut injury on the left side of the face and in front of the ear, laceration on the left side of the forehead, cut injury on the right wrist and laceration on the right forearm and the injured was discharged from the hospital.

5.According to the learned counsel for the petitioner, the petitioner is in judicial custody for a period of one month from the date of the above said dismissal order.

6.Considering the period of incarceration and and also considering the fact that the major portion of the investigation might have been completed by this time, this Court is inclined to grant bail to the petitioner with stringent conditions.

7.Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing a personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Viruthunagar, and on further condition that the petitioner must stay away from the occurrence place and he must stay at Tirunelveli, and shall report before the learned Judicial Magistrate-I, Tirunelveli, daily at 10.30 a.m. until further orders.

Sd/-
03/01/2022

/ TRUE COPY /

/ /2022

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

dss

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 JUDICIAL MAGISTRATE NO.II,
VIRUTHUNAGAR.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUTHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
3. THE JUDICIAL MAGISTRATE-I, TIRUNELVELI.
4. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
5. THE OFFICER INCHARGE,
DISTRICT PRISON, VIRUTHUNAGAR.
6. THE INSPECTOR OF POLICE,
SOOLAKARAI POLICE STATION,
VIRUTHUNAGAR DISTRICT
7. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP (MD) No.20749 of 2021

Date : 03/01/2022

VB/JM/SAR-II/03.01.2022/3P/8C