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CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02/11/2022

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD). No.19373 of 2022

Karthick

... Petitioner/Accused No.1

Vs

The State rep.by,
The Sub Inspector of Police,
Puliangudi Police Station,
Tenkasi District.
Crime No.456/2022.

... Respondent/Complainant

For Petitioner : M/s.Prakash Y,
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. 456/2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused, who was arrested and remanded to judicial custody on 12.10.2022 for the offences punishable under Sections 294(b), 353, 307 and 506(ii) of IPC and 185 of MV Act, in Crime No.456 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 12.10.2022, while the complainant and other two police officers were going on their bike, the petitioner drove his car in a rash and negligent manner and dashed against the vehicles and caused injuries to them. In the accident, three persons sustained injuries and one person died on the spot. After that, the petitioner did not stop the vehicle. When the police tried to stop the same, the petitioner abused them in filthy language and also threatened them with dire consequences. Hence, one complaint.

<https://www.hc.madras.gov.in/judis>



3.The learned counsel for the petitioner would submit that this is only an accident. Since the deceased is the police official, they registered two cases against the petitioner for the very same occurrence. He would further submit that only on the fear of the accident against the police persons, the petitioner did not stop the car and mover from there. The petitioner is an innocent person and he did not commit any offence as alleged by the prosecution and he is in judicial custody from 12.10.2022, hence he may be granted bail.

4.The learned Additional Public Prosecutor appearing for the respondent police would submit that the petitioner has driven the vehicle in the drunken mood and caused injuries to the defacto complainant and others. Out of the injured persons, one person died on the spot. He would further submit that investigation in this case is at the initial stage and custodial interrogation of the petitioner is very much necessary. Hence, he opposed for grant of bail to the petitioner. Heinous

5.Considering the seriousness and gravity of the offence committed by the petitioner, the objection raised by the Prosecution and also the fact that the investigation is at the initial stage and custodial interrogation of the petitioner is very much necessary in this case, this Court is not inclined to grant bail to the petitioner.

6.Accordingly, this Criminal Original Petition is dismissed.

sd/-
02/11/2022

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/11/2022

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

cp

TO

1.THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.

2.THE SUB INSPECTOR OF POLICE,
PULIANGUDI POLICE STATION,
TENKASI DISTRICT.



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

ORDER

IN

CRL OP(MD) No.19373 of 2022

Date : 02/11/2022

RK/GB/SAR-3 (09/11/2022) 3P/4C