



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/11/2022

WEB COPY

PRESENT

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

CRL OP(MD). No.20505 of 2022

G.Petchi,

... Petitioner/5th Accused

Vs

State Rep.by
The Inspector of Police,
Vikkaramangalam Police Station,
Madurai District.
(Crime No.134/2022)

... Respondent/Complainant

For Petitioner : M/s.Saravanakumar M, 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 Cr No.134/2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/5th Accused, who was arrested and remanded to judicial custody on 08.10.2022 for the offences punishable under Sections 294(b), 323, 324, 302, 506(2), 147, 148 and 109 of IPC, in Crime No.134 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 07.10.2022, the defacto complainant came to his native place to worship the deity of Arulmigu Kannimar Temple situated at Keela Perumal Patti Village, at that time, the accused were quarreled with him and his parents on the ground that the defacto complainant and his parents were encroached and utilized the agricultural lands of the accused.

Wherefore, a wordy quarrel was commenced and thereafter, there was a



tussle between them. Then, the defacto complainant's fat down and he went to police station and made complaint and thereafter, on the way to hospital he was expired.

3.The learned counsel for the petitioner would submit that the petitioner is not present at the time of occurrence and no other overt act made against the petitioner and the only allegation made against the petitioner is that she has instigated the other accused. He would further submit that the petitioner is an innocent and she did not commit any offence as alleged by the prosecution. Further the petitioner is in judicial custody from 08.10.2022. Hence, she may be granted bail.

4.The learned Additional Public Prosecutor would submit that based on the confession statement of A1, the petitioner is arrayed as A5. The overt act against the petitioner is that she has instigated the other accused persons. He would further submit that investigation is at preliminary stage. Hence, he strongly opposed for grant of bail to the petitioner.

5.Considering the facts and circumstances of the case and considering the heinous nature of offences committed by the petitioner and the strong objections raised by the prosecution and also the facts that investigation is pending and the 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/-

18/11/2022

/ TRUE COPY /

/11/2022

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

TO

1 THE INSPECTOR OF POLICE
VIKKARAMANGALAM POLICE STATION, MADURAI DISTRICT.

2 THE SUPERINTENDENT,
CENTRAL JAIL, MADURAI.

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

+1 CC to M/s.M.SARAVANAKUMAR, Advocate (SR-13458[I] dated 22/11/2022
ORDER
IN
CRL OP(MD) No.20505 of 2022
Date :18/11/2022

cp

<https://www.mhcc.in/cr-2/28.11.2022/2P/5C>