



Crl.OP.No.13408 of 2023

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G.CHANDRASEKHARAN.J.,

The petitioners namely Sathiyaraj and Sabari Nayaki, who were arrested and remanded to judicial custody on 30.05.2023 for the offences punishable under Sections 294(b), 323, 324, 307, 506(ii) of IPC read with Section 4 of Tamil Nadu Prohibition of Women Harassment Act in Crime No.239 of 2023 on the file of the respondent police, seeks bail.

2. The learned counsel for the petitioners submitted that, petitioners are innocent persons and they have been falsely implicated in a case registered for the offence under Sections 294(b), 323, 324, 307, 506(ii) of IPC read with Section 4 of Tamil Nadu Prohibition of Women Harassment Act. Petitioners are in Judicial Custody from 30.05.2023. Thus, he seeks bail to the petitioners.

3. In reply, the learned Government Advocate (Crl. Side) opposes the petition on the ground that, injured victims are still taking treatment in the hospital.



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4. Considered the rival submissions and perused the records.

5. The reading of the FIR allegations shows that, on 30.05.2023 at about 11.00.a.m., there was a fall of coconut tree branch from the accused' house to the defacto complainant's house. When defacto complainant informed about this to the accused, one Sabari Nayaki responded saying that, defacto complainant may vacate the house. When that was happening, accused persons namely Priya, Sathyaraj and Gowtham came there and started scolding the defacto complainant in filthy language. Defacto complainant's husband Balamurugan and her father-in-law Sundharamurthy intervened and protested against the accused for abusive language. For which, accused Sathyaraj brought aruval and started attacking Balamurugan on his head. Balamurugan suffered injuries on his right and left hand. He was also beaten by Gowtham on his head and ankle using iron rod. Not only that, when defacto complainant's uncle tried to intervene, he was also attacked by the accused persons. Defacto complainant's jacket was torn by Sathyaraj and she was also beaten by Sabari Nayaki and Priya.



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6. The allegations made in the FIR clearly shows that, defacto complainant, her husband Balamurugan and her father-in-law Sundharamurthy were beaten by the accused with the use of deadly weapons. Medical Records shows that, Balamurugan suffered fracture injuries and still taking treatment in the Hospital as in-patient.

7. Considering the nature and gravity of the offence committed by the accused persons and that the injured Balamurugan suffered fracture injuries and still taking treatment in the hospital, this Court is not inclined to grant bail to the petitioners.

8. Accordingly, this Criminal Original Petition is dismissed.

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