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CRL.O.P(MD)



23

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 22/02/2023

PRESENT

The Hon`ble Mr.Justice A.D.JAGADISH CHANDIRA

CRL.O.P(MD)No.3436 of 2023

Siva @ Rajarajan

...Petitioner / Accused No.1

-vs-

The State represented by
The Inspector of Police,
Thanjavur South Police Station,
Thanjavur District.
(in Cr.No.109 of 2023)

...Respondent / Complainant

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

PRAYER :-

For Bail in Crime No.109 of 2023 on the file of the Respondent Police.

For Petitioner	: Mr.K.Navaneetharaja, Advocate
For Respondent	: Mr.T.Senthil Kumar Additional Public Prosecutor

O R D E R

The petitioner, who was arrested and remanded to judicial custody on 04.02.2023 for the offences punishable under Sections 294 (b), 324, 307 and 506(ii) of IPC r/w Section 4 of TNPHW Act in Crime No.109 of 2023 on the file of the respondent police, seeks bail.

2.The case of the prosecution, as per the de-facto complainant, is that when the de-facto complainant was going to temple, the accused persons have waylaid her and abused her in filthy language and also assaulted her with knife resulting in her sustaining injuries. Hence, the case.

3.The learned Counsel for the petitioner would submit that the petitioner is an innocent and the petitioner has been falsely implicated. He would also submit that the petitioner has not

<https://www.mhc.tn.gov.in/judis>



committed any offence, as alleged by the prosecution. He would further submit that the petitioner is ready to abide by any stringent conditions, that may be imposed on him. Hence, he would seek for anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor would submit that the petitioner and other accused have waylaid the de-facto complainant and abused her in filthy language and also assaulted her with knife resulting in her sustaining injuries. He would also submit that the injured is still in hospital and the investigation is still in preliminary stage and hence, he would strongly object to grant anticipatory bail to the petitioner.

5.Taking into consideration the submission made by the learned Additional Public Prosecutor that the injured persons is still in hospital and the investigation is still in preliminary stage, this Court is not inclined to grant anticipatory bail to the petitioner. Hence, this petition is dismissed for the present.

sd/-
22/02/2023

/ TRUE COPY /

/03/2023

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

CMR

To

1.The Judicial Magistrate No.1,
Thanjavur.

2.Do-through the Chief Judicial Magistrate,
Thanjavur District.

3.The Inspector of Police,
Thanjavur South Police Station,
Thanjavur District.

4.The Officer In-charges,
Sub Jail,
Thanjavur.



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5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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ORDER

IN

CRL OP (MD) No.3436 of 2023

Date :22/02/2023

ED/BUC/SAR-1 (03/03/2023) 3P 6C