



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 30/03/2023
PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) . No.6030 of 2023

Sankar

... Petitioner/Accused (A1)

Vs

The State rep.by
The Inspector of Police,
Aralvaimozhi Police Station,
Kanyakumari District.
Crime No. 55 of 2023.

... Respondent/Complainant

For Petitioner : Mr.Karthikeyan S,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

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

PRAYER :- For Bail in Crime No. 55 of 2023 on the file of the respondent police.

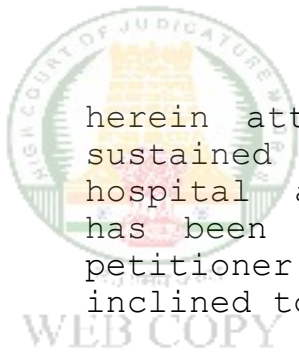
ORDER : The Court made the following order :-

The petitioner /A1 who was arrested and remanded to judicial custody on 17.02.2023 for the offences under sections 341,294(b) and 307 of IPC @ 341,294(b) and 302 of IPC in Crime No.55 of 2023 on the file of the respondent police seeks bail.

2. The case of the prosecution is that on 17.02.2023 at about 4.30 pm., due to previous enmity the accused persons jointly attacked the husband of the defacto complainant using stick, due to which he fell down and he was admitted in the hospital and subsequently on 21.02.2023 he died, hence the case.

3. Heard both sides and perused the materials available on record including the First Information Report.

4. It is seen that there are totally two accused in this case and the petitioner herein is arrayed as A1. Due to previous enmity between the father of the deceased and the petitioner in respect of using tarpaulin of the deceased. Whiles on 17.02.2023 when the deceased was proceeding to his house from the temple, the petitioner



herein attacked him with wooden log on his head, there he sustained injuries and fell down. Immediately he was taken to hospital and unfortunately he died on 21.02.2023. Hence the offence has been altered from 307 of IPC to 302 of IPC. Further the petitioner was arrested only on 17.02.2023, hence this Court is not inclined to grant bail to the petitioner.

5. In the result, the petition stands dismissed.

sd/-

30/03/2023

/ TRUE COPY /

/04/2023

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

AAV

TO

- 1 THE SUPERINTENDENT / THE OFFICER INCHARGE,
DISTRICT CENTRAL PRISON, NAGERCOIL.
- 2 THE INSPECTOR OF POLICE,
ARALVAIMOZHI POLICE STATION,
KANYAKUMARI DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+2. CC to M/S.KARTHIKEYAN S Advocate SR.Nos.5201, 5141

ORDER

IN

CRL OP(MD) No.6030 of 2023

Date :30/03/2023

SA/CG/SAR.4/05.04.2023/2P/6C