



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

Date : 19/04/2023

PRESENT

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

CRL OP(MD) . No.6808 of 2023

Natarajan ... Petitioner / Accused No.1

Vs

1.State through
The Inspector of Police,
Palani Town Police Station,
Dindigul District.
(Crime No. 115 of 2023.) ... Respondent / Complainant

2.Devi ... Petitioner / Intervener
in CRL MP(MD) No.6346 of 2023

For Petitioner : M/s.Krishnaveni P, Advocate.

For Intervenor : M/s.D.Venkatesh, Advocate

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

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

PRAYER :-

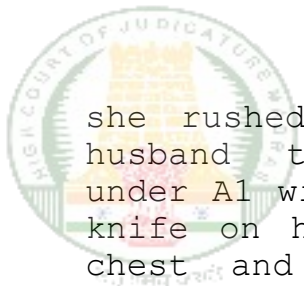
For Bail in Crime No. 115 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner /A1 who was arrested and remanded to judicial custody on 09.03.2023 for the offences under sections 294(b), 307 and 109 of IPC in Crime No.115 of 2023 on the file of the respondent police seeks bail.

2. The case of the prosecution is that in continuation to the property dispute on 08.03.2023 at about 9.30 a.m., the husband of the defacto complainant received a phone call that somebody is trying to make tin shed in place belonging to him, hence he rushed to the spot. On the same day at about 10.30 am., the defacto

<https://www.mca.gov.in/>



she rushed to the hospital and came to know the fact that her husband that on the instigation of A1, A2 to A4 who are working under A1 with an intention to cause death attacked the injured with knife on his right side chest and also attacked him on his left chest and left side hip and caused injuries, hence the case.

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3. The learned counsel for the petitioner would submit that the petitioner is aged about 83 years and he was not present in the scene of occurrence and there is absolutely no evidence to implicate the petitioner as an accused. Further the petitioner was arrested on 09.03.2023 and still in judicial custody, hence he seeks bail.

4. The learned counsel for the intervenor/ defacto complainant would submit that the injured is the neighbor of the defacto complainant. He had dispute with the neighbor on his right side as well as on the left side. Already a neighbor who was residing in his right side was murdered by the petitioner by gun shot and the petitioner is facing trial for the offence under section 302 of IPC. The present victim is residing on the left side. Infact both the neighbors obtained decree in their favour in respect of the property and even thereafter this petitioner used to quarrel with them and brutally attack the victim and therefore the victim is still taking treatment.

5. The injured sustained severe injuries on his ribs and stomach. Though the petitioner is aged about 83 years old he had gun license and shot the neighbor and he died. He also brutally attacked the victim and he is still taking treatment in the hospital, hence this Court is not inclined to grant bail to the petitioner.

6. In the result, the petition stands dismissed.

sd/-
19/04/2023

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/04/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

AAV

1.The Inspector of Police,
Palani Town Police Station,
Dindigul District.

2.The Officer Incharge,
Palani Sub Jail,
Dindigul.

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



CRL OP(MD).



23

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

+1 CC to M/s.D.VENKATESH, Advocate (SR-6166[I] dated 20/04/2023)

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ORDER

IN

CRL OP(MD) No.6808 of 2023

Date :19/04/2023

ED/MMS/SAR-4 (25/04/2023) 3P 5C