



WEB COPY

CRL OP(MD)



23

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

Date : 02.06.2023

PRESENT

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

CRL OP (MD) No.9457 of 2023

Arun @ Arun Kumar

... Petitioner/Accused No.3

Vs

The State represented by,
The Inspector of Police,
Virudhunagar East Police Station,
Virudhunagar District.
(Crime No.91 of 2023)

... Respondent/Complainant

For Petitioner : Mr.A.Kesanvan, 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.91 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A3, who was arrested and remanded to judicial custody on 11.05.2023 for the offence under section 147, 148, 450, 353, 307 and 506(ii) IPC in Crime No.91 of 2023 on the file of the respondent police seeks bail.

2.The case of the prosecution is that the defacto complainant and his friend were working with petitioner's brother. There was salary dispute between them. Due to the same, the defacto complainant's friend was killed by the petitioner's brother. On 02.06.2023, the petitioner's brother was killed by the defacto



complainant. Thereafter, the defacto complainant was . 1. Since, the defacto complainant and other accused persons were suffering from cut injuries, they were taken to the Government Medical College Hospital, Virudhunagar for treatment. When the defacto complainant and other accused persons were in hospital, the petitioner and his associates entered into the hospital, scattered chilli powder on the faces of the police and started to attack the defacto complainant and his friends with aruval and iron bar. Due to the same, the defacto complainant and others sustained grievous injuries. Hence the case.

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

4. It is seen that it is a case of retaliation. The defacto complainant was admitted in the hospital and while he was taking treatment in the Government Hospital, in front of general public, the accused persons brutally attacked the victim with aruval and iron bar. Therefore, the defacto complainant sustained grievous injuries. The petitioner was arrested on 11.05.2023. Though the injured person has been discharged from the hospital, the manner in which, the crime committed by the accused is very grave and serious in nature.

5. In view of the above, this Court is not inclined to grant bail to the petitioner. Accordingly, this criminal original petition is dismissed.

sd/-

02/06/2023

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/06/2023

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

GNS
TO

- 1 THE INSPECTOR OF POLICE
VIRUDHUNAGAR EAST POLICE STATION,
VIRUDHUNAGAR DISTRICT.
- 2 THE SUPERINTENDENT
CENTRAL PRISON, MADURAI.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.9457 of 2023

Date : 02/06/2023