



CRL OP(MD). No.12527 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.12527 of 2023

Goya Viknesh @ Vikneswaran

... Petitioner/6th Accused

Vs

State, represented by
The Inspector of Police,
Ramanathapuram Town Police Station,
Ramanathapuram District.
(Crime No.92 of 2023).

... Respondent/Complainant

For Petitioner : Mr.N.Saravanan, Advocate.

For Respondent : B.Nambiselvan,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.92 of 2023 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/ 6th accused herein, who was arrested on 03.06.2023 for the alleged offence under Sections 147, 148, 448, 294(b) and 307 IPC in Crime No.92 of 2023 on the file of the respondent Police, seek bail.

2. The case of the prosecution is that there is some previous motive between

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two groups people namely Boomi and another. The defacto complainant's brother supported the Boomi group, due to that, when the defacto complainant was sleeping in his house, the first accused and others have entered into the defacto complainant's house with weapons. The first accused questioned about the brother of defacto complainant, thereafter, they scolded the defacto complainant in filthy language and attacked him with stick and iron rod. Hence the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is innocent person and he was falsely implicated in this case, due to previous motive. He has not committed any offence as alleged by the prosecution.

4.The learned Additional Public Prosecutor submitted that there is group rivalry between the defacto complainant's brother and the first accused. On the date of occurrence, the above said group rivalry exist, in which, this accused stated to have trespassed into the house of the defacto complainant and assaulted him. Apart from that, six previous cases are pending against the petitioner.

5. Reading of the above said case details shows that most of the offence under Section 307 IPC. Even though the learned counsel for the petitioner submitted that co-accused have been granted bail, they are not standing on the same footing of this petitioner.

6. Considering the fact that the petitioner is continuously involved in assault



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offences, this Court is not inclined to grant bail to the petitioner. If the petitioner is released on bail, he will tamper the witness and the investigation process will be affected. Hence, this petition deserves dismissal and accordingly dismissed.

sd/-
10/07/2023

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/07/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

INDU
TO

- 1 THE INSPECTOR OF POLICE
RAMANATHAPURAM TOWN POLICE STATION,
RAMANATHAPURAM DISTRICT.
- 2 THE OFFICER INCHARGE
SUB JAIL, RAMANAHTAPURAM.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.12527 of 2023
Date :10/07/2023

PKP/MR/SAR- /29.07.2023/ 3P/4C

Madurai Bench of Madras High Court is issuing certified
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