



WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.13952 of 2023

Sahaya Jenifer

... Petitioner / Sole Accused

Vs

State represented by
The Inspector of Police,
Asaripallam Police Station,
Kanyakumari District,
in Crime No. 65 of 2023.

... Respondent/ Complainant

A.Iruthayarajan

... Petitioner/Third Party & Defacto Complainant
in CRL MP(MD)No.11150 of 2023

For Petitioner : M/s.B.Micheal Sebastin, Advocate

For Respondent : Mr.B.Nambiselvan
Additional Public Prosecutor

For Intervener : Mr.N.Pragalathan, Advocate

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

PRAYER :-

For Bail in Crime No.65 of 2023 on the file of the Respondent Police.



ORDER : The Court made the following order :-

WEB COPY

The petitioner/ Accused, was arrested on 14.07.2023 by the respondent police, for the alleged offence punishable under Sections 294(b), 324, 307 and 506(ii) of IPC, in Crime No. 65 of 2023, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that because of the illegal intimacy between the petitioner and the defacto complainant's wife, according to the learned Additional Public Prosecutor, trouble has arisen. On the date of occurrence, this petitioner assaulted the defacto complainant with Aruval and caused injury. The defacto complainant sustained injuries and admitted in the hospital. Hence the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is a totally blind person. The probability of the above said occurrence said to have been taken place, are also unbelievable because of her vision.

4. The learned counsel for the defacto complainant would submit that the petitioner is a half-vision person and not totally blind.

5. The learned Additional Public Prosecutor would submit that the injured person has been discharged from the hospital and because of the illegal intimacy with the defacto complainant's wife, the trouble has arisen between them. The nature of injuries are not grievous in nature. He would further submit that the petitioner is having four previous cases among which one case is filed for the offences under the



NDPS Act. Among the four previous cases, in two cases, the petitioner was convicted.

6. Considering the bad antecedents of the petitioner, this Court is not inclined to grant relief to the petitioner.

7. Accordingly, this Criminal Original Petition stands dismissed.

sd/-
02/08/2023

/ TRUE COPY /

/08/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNN

TO

- 1 THE INSPECTOR OF POLICE
ASARIPALLAM POLICE STATION,
KANYAKUMARI DISTRICT,
- 2 THE OFFICER INCHARGE,
DISTRICT JAIL, NAGERCOIL AT KANYAKUMARI DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.13952 of 2023
Date :02/08/2023

SS/VRS/17/08/2023/3P/4C