



CRL OP(MD). No.17536 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/09/2023

PRESENT

The Hon`ble Mr.Justice P. DHANABAL

CRL OP(MD). No.17536 of 2023

K.Sivasangar,

... Petitioner/ Accused No.2

Vs

**State Rep.by
The Inspector of Police,
Kalayarkoil Police Station,
Sivagangai District.
(Crime No.323/2023).**

... Respondent/ Complainant

**For Petitioner : MR.V.Kathirvelu, Senior Counsel,
M/s.Rajarajan.M,Advocate.**

For Respondent : Mr.S.Ravi,Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No. 323/2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-



CRL OP(MD). No.17536 of 2023

The petitioner/ Accused No.2, who was arrested and remanded to judicial custody on 22.08.2023 for the offences punishable under Sections 294(b), 323, 324, 506(ii) and 302 of IPC, in Crime No.323 of 2023, on the file of the respondent Police, seeks bail.

2. The case of the prosecution is that 21.08.2023 at 10.55 p.m., before the Karuppiah mess, the accused persons initially picked up quarrel with the defacto complainant's grandfather. Thereafter, they quarreled with the mess employees. When the defacto complainant's father came there to pacify the matter, he was pushed down by the accused persons. He had fallen on the drum of the car tyre and the car tyre hit the back side of the head, sustained injuries. When he was taken to the hospital, he was declared dead. Hence, the case.

3. The learned counsel for the petitioner would contend that the petitioner is innocent and a false case has been foisted against him. There is no motive between the parties. The petitioner is A2.

4. The learned Additional Public Prosecutor would submit that the petitioner along with other accused went to the hotel in drunken mood and picked up quarrel with the defacto complainant party, which was questioned by the mess employees. All the accused persons arrested on 22.08.2023. They are rowdy element.

5. Heard both side and perused the materials available on record.

6. Considering the rival submissions on either side, considering the fact that



CRL OP(MD). No.17536 of 2023

the investigation is not completed, considering the gravity of offence and also considering the period of incarceration, I am declined to grant bail to the petitioner

7. Accordingly, this criminal original petition stands dismissed.

sd/-
29/09/2023

/ TRUE COPY /

/10/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TM
TO

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

+1 CC to M/s.M.RAJARAJAN, Advocate (SR-14572[I] dated 03/10/2023)

ORDER
IN
CRL OP(MD) No.17536 of 2023
Date :29/09/2023

PKP/JGB/SAR- /04.10.2023/ 3P/ 5C
Madurai Bench of Madras High Court is issuing certified
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