



CRL OP(MD). No.19303 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 26.10.2023

PRESENT

The Hon`ble Mr.Justice R.SAKTHIVEL

CRL OP(MD). No.19303 of 2023

Asai

... Petitioner/ Accused No.2

Vs

The state Rep. by its  
The Inspector of Police,  
Natham Police Station,  
Dindigul District.  
(Crime No.458 of 2023).

... Respondent/ Complainant

For Petitioner : Mr.K. Sathyendran,Advocate.

For Respondent : Mr.A. Thiruvadikumar

Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No. 458 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner / Accused No.2, who was arrested and remanded to judicial



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custody on 08.09.2023 for the alleged offence under Section 174 Cr.P.C., @ 302 IPC, in Crime No.458 of 2023, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 06.09.2023, due to the wordy quarrel, the petitioner herein and other accused attacked the deceased by using hands in a drunken mood and caused death to him. Hence, the case.

3.The learned counsel for the petitioner submitted that petitioner is innocent and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in this case. He further submitted that the petitioner is in judicial custody for the past 48 days. Accordingly, the learned counsel prayed to allow the petition.

4.The learned Additional Public Prosecutor submitted that the petitioner herein and other accused attacked the deceased by using hands in a drunken mood and caused death to deceased. Petitioner herein has been arrayed as accused based on the confession of the co-accused (A1). He further submitted that in this case A4 is still absconding and investigation is not completed. Accordingly, he opposed to grant bail to the petitioner.

5. Heard on both sides. This Court has perused the records.

6. In this case, the investigation is not yet completed. A4 is still absconding. If

the petitioner is released on bail, he may cause threat to the witnesses. Hence, there is



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no reason to reject the apprehension raised by the prosecution. Considering nature of the offence and stage of the investigation, this Court is not inclined to grant bail to the petitioner for the present.

7. Accordingly, this Criminal Original Petition is dismissed.

sd/-  
26/10/2023

/ TRUE COPY /

/11/2023  
Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

TRP  
TO

- 1 THE INSPECTOR OF POLICE  
NATHAM POLICE STATION,  
DINDIGUL DISTRICT.
- 2 THE OFFICER INCHARGE  
DISTRICT JAIL, DINDIGUL.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER  
IN  
CRL OP(MD) No.19303 of 2023  
Date :26/10/2023

PKP/DD/SAR- /01.11.2023/ 3P/4C

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