



CRL OP(MD). No.19325 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.19325 of 2023

P.Ponesakki

... Petitioner/ Accused Rank Not known

Vs

The state Rep. by its
The Inspector of Police,
Seithunganallur Police Station,
Tuticorin District.
(Crime No.118 of 2023).

... Respondent/ Complainant

For Petitioner : Mr.R.Anand, 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. 118 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner / Accused No.8, who was arrested and remanded to judicial custody on 23.08.2023 for the alleged offence under Sections 147, 148, 449, 342, 294(b), 302, 307, 120(B), 115, 109 and 506(ii) of IPC r/w. Section 4 of the Tamil Nadu



CRL OP(MD). No.19325 of 2023

Prohibition of Harassment of Women Act, 1998 (Act 44 of 1998) in Crime No.118 of 2023, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 03.08.2023, the petitioner herein and other accused have trespassed into the house of the defacto complainant with Aruval with an intention to murder her husband, attacked him and caused death to him and also caused injury to the defacto complainant. 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 does not find in the First Information Report. He has been falsely implicated in this case. He further submitted that the petitioner is in judicial custody for the past 60 days. Accordingly, the petitioner counsel prayed to allow the petition.

4.The learned Additional Public Prosecutor submitted that the petitioner herein and other accused conspired together and caused death to the deceased. He further submitted that the petitioner has three previous cases in Crime Nos.118 of 2023, 53 of 2022 and 156 of 2016 and the investigation is going on and not completed.

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

6. Considering the antecedents of the petitioner, if the petitioner is released on bail, he may cause threat to the witnesses. Hence, apprehension raised by the prosecution deserves to be accepted. If bail is granted to the petitioner at this stage of



CRL OP(MD). No.19325 of 2023

investigation, petitioner will cause threat to the witnesses and thereby, cause delay the investigation. Hence, 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

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

TRP
TO

- 1 THE INSPECTOR OF POLICE
SEITHUNGANALLUR POLICE STATION,
TUTICORIN DISTRICT.
- 2 THE SUPERINTENDENT
CENTRAL PRISON, PALAYAMKOTTAI,
TIRUNELVELI DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.19325 of 2023
Date :26/10/2023

PKP/DD/SAR- /01.11.2023/ 3P/4C
Madurai Bench of Madras High Court is issuing certified
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