



CRL OP(MD) No.743 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Thursday, the Eighteenth day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.743 of 2024

KALIDASS

... Petitioner / Accused Rank not known

Vs

THE INSPECTOR OF POLICE
OTHAKADAI POLICE STATION,
MADURAI DISTRICT.
(CRIME NO.421 OF 2023)

... Respondent / Complainant

For Petitioner : M/s.S.Muthu Kumar, Advocate

For Respondent : Mr.B.Nambiselvan,
Additional Public Prosecutor

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

PRAYER : FOR BAIL IN CRIME NO.421 OF 2023 ON THE FILE OF THE
RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on
26.11.2023 for the offence punishable under Sections 174 Cr.P.C., altered into Section
302 IPC in Crime No.421 of 2023, on the file of the respondent Police, seeks bail.



CRL OP(MD) No.743 of 2024

WEB COPY

2.The case of the prosecution is that the deceased was working as a painter under the petitioner, who is contractor in Coimbatore and on 08.11.2023, the petitioner and his workers including the deceased have gone to Madurai in a car for painting work at Madurai. On the way, the deceased consumed alcohol, created nuisance and damaged the car glasses. Hence, the petitioner stopped the car and the police officials of Raddiarchathiram has warned them and sent them. Thereafter, they went to Madurai and since the deceased was under the influence of alcohol, the workers have left him in the room. Next day the deceased was not well and hence, he was taken to Velammal Hospital and thereafter, he was taken to Government Hosptial, Coimbatore, where he died. Therefore, a case was registered under Section 174 Cr.P.C. During investigation, it came to light that the petitioner herein has attacked the deceased indiscriminately and punched him on his face and by suppressing the same, admitted him in the hospital as if it is a case of accidental fall. Hence, the case.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He would further submit that the petitioner was in judicial custody from 26.11.2023 and hence, he prayed to grant bail to the petitioner.

4.The learned Additional Public Prosecutor appearing for the respondent



CRL OP(MD) No.743 of 2024

Police would submit that this is second petition for bail and earlier petition was dismissed on 19.12.2023 and there is no change in circumstances in the case.

5.Considering the seriousness of the allegations levelled as against the petitioner and considering the fact that there is no change in circumstances, this Court is not inclined to grant bail to the petitioner. Accordingly, this criminal original petition is dismissed.

sd/-
18/01/2024

/ TRUE COPY /

/01/2024
Sub-Assistant Registrar
(C.S. I / II / III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

GNS

To

1.The Inspector of Police,
Othakadai Police Station,
Madurai District.

2.The Officer Incharge,
Sub Jail, Theni.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



WEB COPY



CRL OP(MD) No.743 of 2024

ORDER

IN

CRL OP(MD) No.743 of 2024

Date :18/01/2024

ED/ JGB /SAR- (24/01/2024) 4P / 4C

Madurai Bench of Madras High Court is issuing certified copies in this format from
17/07/2023