



CRL OP(MD) No.1920 of 2024

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

Friday, the Twenty Third day of February Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.1920 of 2024

NAGARAJAN (APPU)

... PETITIONER / ACCUSED NO.2

Vs

THE INSPECTOR OF POLICE
KOTTAR POLICE STATION,
KANYAKUMARI DISTRICT.
CRIME NO.360 OF 2023.

... RESPONDENT / COMPLAINANT

For Petitioner : MR.S.KARTHIKEYAN, Advocate

For Respondent : MR.B.NAMBISELVAN,
Additional Pulic Prosecutor

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

PRAYER:

FOR BAIL IN CRIME NO.360 OF 2023 ON THE FILE OF THE RESPONDENT
POLICE.

ORDER : The Court Made the following order :-

The petitioner/A2, who was arrested and remanded to judicial custody on

21.12.2023 for the offence punishable under Sections 294(b), 323, 324, 506(ii) of IPC @
<https://www.mhc.tn.gov.in/judis>



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294(b), 323, 324, 307, 506(ii) of IPC @ Sections 294(b), 323, 324, 302, 506(ii) of IPC
Crime No.360 of 2023 on the file of the respondent Police, seeks bail.

2.The case of the prosecution is that the defacto complainant is working as a supplier in a hotel at Nagercoil for the past one year. On 15.12.2023 at about 1.30 a.m., the petitioner and other accused persons are said to had foods in the shop and not paid the bill amount and when the defacto complainant insisted them to pay the bill amount, the accused persons scolded him in filthy language and attacked the defacto complainant and caused severe injury to him. Thereafter, he was admitted in the hospital and inspite of treatment, he died on 21.12.2023. 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. Further, the petitioner was accompanied with the other accused persons and he is in judicial custody fore more than 70 days. Hence, he prays for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent Police would submit that due to the attack made by the accused persons, the deceased person has lost his life and the investigation is at preliminary stage. Hence, he vehemently opposed to grant bail to the petitioner.

5. Considering the facts and circumstances of the case and also considering the



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fact that the offence committed by the petitioner along with other accused persons is heinous in nature, this Court is not inclined to grant bail to the petitioner.

6. In the result, this Criminal Original Petition is dismissed.

sd/-
23/02/2024

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/03/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

INDU
TO

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

+1 CC to M/s.S.KARTHIKEYAN, Advocate (SR-2315[I] dated 23/02/2024)

ORDER
IN

CRL OP(MD) No.1920 of 2024
Date :23/02/2024

PKP/VR/SAR /21.03.2024/ 3P/ 5C

Madurai Bench of Madras High Court is issuing certified
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