



CRL OP(MD). No.8357 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07/06/2024

PRESENT

The Hon`ble Mr.Justice **B.PUGALENDHI**

CRL OP(MD). No.8357 of 2024

Davithu,

... Petitioner/ Accused No.1

Vs

The State represented by
The Inspector of Police,
Sathankulam Police Station,
Tuticorin District.
(Crime No.54/2024).

... Respondent/ Complainant

For Petitioner : Mr.K.K. Samy, Advocate

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.54/2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The respondent police registered a case as against this petitioner in Crime



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No.54 of 2024 for the offence under Sections 294(b), 307 and 506(ii) IPC r/w Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, and remanded him into judicial custody on 13.03.2024. Therefore, the petitioner has filed this petition seeking bail.

2. The case of the prosecution is that due to previous enmity, on 13.03.2024, the accused have intercepted the defacto complainant, attacked her using aruval, caused injuries and threatened her with dire consequences. Hence the case.

3. The learned counsel for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. However, he has been arrested and he is languishing in jail from 13.03.2024. Therefore, he prays for grant of bail.

4. The learned Additional Public Prosecutor appearing for the respondent opposed for grant of bail on the ground that the petitioner is having three previous cases and the injured had taken treatment as in-patient for eighteen days. He further submitted that the petitioner is an accused in a murder case. The victim's husband has followed the trial and he died. Thereafter, the victim's daughter has



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followed the trial. In order to intimidate the victim's daughter and the other witnesses, the petitioner has assaulted the victim on her head.

5. Considering the facts and circumstances of the case and considering the antecedent of the petitioner and also considering the manner, in which, the petitioner has attempted to deter the witnesses, this Court is not inclined to grant any relief to the petitioner. The learned Judicial Magistrate, Sathankulam, Thoothukudi District, is directed to conclude the trial as expeditiously as possible.

6. Accordingly, this Criminal Original Petition is dismissed.

sd/-
07/06/2024

/ TRUE COPY /

/06/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

1 THE JUDICIAL MAGISTRATE,
SATHANKULAM, THOOTHUKUDI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.



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3 THE INSPECTOR OF POLICE
SATHANKULAM POLICE STATION, TUTICORIN DISTRICT.

4 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN

CRL OP(MD) No.8357 of 2024
Date :07/06/2024

SS/VR/SAR- /14/06/2024/4P/6C

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