



Crl.O.P(MD)No.8233 of 2024

WEB COPY

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

Date : 12/06/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). Nos.8233 and 8156 of 2024

Senthil Araasu

... Petitioner/ Accused No.2
in Crl.O.P(MD)No.8233 of 2024

Ayyangan

... Petitioner/ Accused No.3
in Crl.O.P(MD)No.8156 of 2024

Vs

The Sub Inspector of Police,
South Thamaraikulam Police Station,
South Thamaraikulam,
Kanyakumari District.
(Crime No.46/2024.)

... Respondent/Complainant
in both petitions

In both petitions:

For Petitioner : M/s.Krishnan.S, Advocate.

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

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

COMMON PRAYER :-

For Bail in Crime No.46 of 2024 on the file of the Respondent Police.



COMMON ORDER : The Court made the following order :-

WEB COPY

The petitioners/A2 and A3, who were arrested on 04.04.2024 in connection with the offence under Sections 147, 148, 294(b), 324, 307 and 506(ii) of IPC in Crime No.46 of 2024 on the file of the respondent police, seek bail.

2.The defacto complainant is a practicing Advocate. There is a civil dispute between the petitioner and the defacto complainant. The defacto complainant filed a civil suit and obtained a decree as against the petitioners and also got it executed through the execution court. While executing the decree, the petitioners are said to have assaulted the defacto complainant brutally and thereby, he suffered serious injury. Hence, the case.

3.The learned counsel appearing for the petitioners submits that the petitioners are innocents and they have not committed any offence as alleged by the prosecution. The petitioners are languishing in jail from 04.04.2024.

4.The learned Additional Public Prosecutor for the respondent submits that while the Court officials were executing the decree, the petitioner and other accused assaulted the defacto complainant. Hence, he opposes for the grant of bail to the petitioners.

5.Considering the conduct of the petitioners in not permitting the Court officials from executing the decree and also assaulting an Advocate and also



Crl.O.P(MD)No.8233 of 2024

WEB COPY

considering the nature of offence, this Court is not inclined to grant bail to the petitioners.

6. Accordingly, these Criminal Original Petitions are dismissed.

sd/-
12/06/2024

/ TRUE COPY /

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

SJI

To

1.The Sub Inspector of Police,
South Thamaraikulam Police Station,
South Thamaraiklam,
Kanyakumari District.

2.The Officer Incharge,
District Prison,
Nagercoil.

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

ORDER
IN
CRL OP(MD). Nos.8233 and 8156 of 2024
Date :12/06/2024

ED/ JGB /SAR- (20/06/2024) 3P / 4C
Madurai Bench of Madras High Court is issuing certified copies in this format from
17/07/2023