



CRL OP(MD) No.21930 of 2023

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

Wednesday, the Third day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.21930 of 2023

TAMILALAGAN @ PENCIL ... PETITIONER/PETITIONER/ 1st ACCUSED

Vs

THE INSPECTOR OF POLICE
KARUR TOWN POLICE STATION,
KARUR,
IN CRIME NO.114/2023. ... RESPONDENT /RESPONDENT/ COMPLAINANT

For Petitioner : Mr.J. SENTHIL KUMARAIAH Advocate

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

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

PRAYER:

FOR BAIL IN CRIME NO.114/2023 ON THE FILE OF THE RESPONDENT
POLICE.

ORDER : The Court Made the following order :-

The petitioner / Accused No.1, who was arrested and remanded to judicial
custody on 16.02.2023 for the alleged offence under Sections 294(b), 449, 506(ii) and
302 of I.P.C in Crime No.114 of 2023, seeks bail.



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2. The case of the prosecution is that Accused Nos.1 and 2 and the deceased used to consume alcohol in front of the deceased's house. Thereafter, the deceased insisted Accused Nos.1 and 2 not to consume alcohol in front of his house and the same was refused by them. Due to which, the accused persons abused the deceased in filthy language and also assaulted and caused injuries. Due to the same, the deceased died. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he did not commit any offence as alleged by the prosecution. The learned counsel appearing for the petitioner would further submit that the petitioner is ready to abide by any conditions imposed by this Court. He would further submit that the petitioner is in judicial custody for more than ten months and hence, he prayed for bail.

4. The learned Additional Public Prosecutor appearing for the respondent Police would submit that earlier the petitioner was detained in Goondas Act and he would further submit that the petitioner is a history sheeter. He would further submit that if the petitioner is released on bail, the trial will not be processed. He



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would further submit that seven previous cases are pending against the petitioner and all are heinous in nature. He would further submit the investigation is completed and charge sheet has also been filed before the learned Principal District Judge, Karur in S.C.No.38 of 2023. He would further submit that if a petitioner is released on bail, there is a life threat to the *defacto* complainant. Hence, he opposed for grant of bail to the petitioner herein.

5. Considering the facts and circumstances of the case and considering the fact that there is a life threat to the defacto complainant and also considering the fact that the charge sheet has also been filed before the trial Court and considering the gravity of the offence, this Court is not inclined to grant bail to the petitioner herein.

6. In view of the above, the Criminal Original Petition stands dismissed.

sd/-

03/01/2024

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/01/2024

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

TSG

TO

1 THE INSPECTOR OF POLICE
KARUR TOWN POLICE STATION,
KARUR



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2 THE OFFICER INCHARGE
SUB JAIL, KARUR

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

ORDER
IN
CRL OP(MD) No.21930 of 2023
Date :03/01/2024

SS/DD/SAR- /11/01/2024/4P/4C

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