



CRL OP(MD). No.1882 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/02/2025

PRESENT

The HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.1882 of 2025

L.Evan Jerry,

... Petitioner/Sole Accused

Vs

1. The State of Tamil Nadu,
Rep by the Inspector of Police,
Nithiraivillai Police Station,
Kanyakumari District.
Crime No.34 of 2025..

...Respondent No.1

2. Rayin Edwarad @ Rabin Edward,
S/o.Rayinson,
Chemmanvilai Veedu,
Medhukummal Post,
Kanyakumari District..

... Respondent NO.2/Defacto Complainant

For Petitioner : Mr.Aayiramk.Selvakumar,
Advocate.

For R-1 : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of B.N.S.S. U/s 439 of Cr.P.C.

<https://www.mhc.tn.gov.in/judis>



CRL OP(MD). No.1882 of 2025

PRAYER :-

For Bail in Crime No.34 of 2025 on the file of the respondent police.

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 28.01.2025 under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 praying to grant an order of bail.

2. The petitioner / Sole Accused, who was arrested and remanded to judicial custody on 20.01.2025 for the alleged offences punishable under Sections 126(2), 296 (b), 324(2), 109 and 351(3) of the Bharatiya Nyaya Sanhita (BNS), 2023 in Crime No.34 of 2025 on the file of the respondent Police.

3. The case of the prosecution is that on 21.01.2025 at about 10.30 a.m., near Channelkarai Junction, due to previous enmity between the petitioner and the defacto complainant, who is an Advocate, the petitioner herein attacked the defacto complainant with a sword, causing injury. The petitioner also abused him in filthy language and threatened with dire consequences. When people surrounded the petitioner, he fled from the scene of occurrence. Hence, the complaint.

4. Per contra, Mr.Aayiram K.Selvakumar, learned counsel appearing for the



CRL OP(MD). No.1882 of 2025

petitioner submitted that in order to wreck vengeance on the petitioner, the defacto complainant lodged a false complaint against the petitioner. He would further submit the petitioner is in judicial custody since 20.01.2025. He would further submit that the petitioner has nothing to do with the alleged offence. He would further submit that he is ready to abide by any stringent conditions that may be imposed by this Court.

5. Mr.R.Meenkashi Sundaram, learned Additional Public Prosecutor appearing for the respondent Police would submit that there are seven previous cases pending against the petitioner. He would further submit that if the petitioner is released on bail, he will cause threat to the defacto complainant and other witnesses. Hence, he vehemently opposed the grant of bail to the petitioner.

6. Considering the nature of the dispute between the parties and taking note of the bad antecedents of the petitioner and considering the fact that if bail is granted to the petitioner, the petitioner may pose threat to the defacto complainant and other witnesses, this Court is of the view that granting an order of bail would likely result in committing similar offence by the petitioner.



CRL OP(MD). No.1882 of 2025

7. Therefore, this Court is not inclined to grant bail to the petitioner at this stage of investigation and hence, this Criminal Original Petition stands dismissed.

sd/-
05/02/2025

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/02/2025

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

TSG

TO

- 1.THE INSPECTOR OF POLICE,
NITHIRAIVILLAI POLICE STATION, KANYAKUMARI DISTRICT.
- 2.THE OFFICER IN CHARGE, SUB JAIL, NAGERCOIL
- 3.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN
CRL OP(MD) No.1882 of 2025
Date :05/02/2025

RK/SKN(19/02/2025) 4P / 4C

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