

In the Court of Vacation Sessions Judge, Kanniyakumari District at Nagercoil.

Present : Thiru B. Karthikeyan, B.L.
Vacation Sessions Judge/Principal Sessions Judge,
Kanniyakumari at Nagercoil.

Thursday, the 16th day of May, 2024.

Crl.M.P. No. 34/2024

(CNR.No.TNKK00-000018-2024)

Basupathi, S/o Peeman (A1)

.. Petitioner

/Vs./

Inspector of Police,

Kottar Police Station,

Crime No. 148/2024 of Kottar Police Station

Rep. by P.P. Nagercoil.

.. Respondent

This petition is filed by Advocate Thiru N. Ratheesh, u/s 439 Cr.P.C.,
praying to grant bail to the petitioner.

ORDER

Heard both sides. Perused the petition.

The petitioner/accused alleged to have been committed the offence u/s
294(b), 341, 323, 324 and 506(ii) of IPC.

The case of the prosecution is that on 28.04.2024 at about 8.30 P.M.,
the accused persons waylaid the defacto complainant, abused him in filthy words and
assaulted him with hand, caused injuries and also criminally intimidated him. Hence
the charge.

The learned counsel for the petitioner submitted that the petitioner is innocent and he has not committed any offence as alleged in the FIR and he has been falsely implicated in this case and he was undergone the pancreatic infection treatment for the past two years and the petitioner has been in judicial custody from 29.04.2024 and the earlier bail petition in CrI.M.P.No. 3483/2024 was dismissed by the Judicial Magistrate Court No.II, Nagercoil on 03.05.2024 and the investigation of the case is almost over and the petitioner is ready to abide by any condition and prayed for bail to the petitioner.

The learned Public Prosecutor opposed the application and submitted that the injured not discharged from the hospital and the investigation is not yet over.

Considering the nature of the offence alleged to have been committed by the petitioner/accused and also considering the objection of the learned Public Prosecutor that the injured not yet discharged from the hospital, this court is not inclined to grant bail to the petitioner/Accused at this stage. Hence this petition is dismissed.

In the result, this petition is dismissed.

Pronounced by me in open court this the 16th day of May, 2024.

Vacation Sessions Judge.