



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

Monday, the Eleventh day of July Two Thousand Sixteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.10995 of 2016

VIGNESH @ THAMILMANI

... PETITIONER/ACCUSED NO.2

Vs

THE STATE REP BY
THE SUB INSPECTOR OF POLICE
DINDIGUL TOWN NORTH POLICE STATION,
DINDIGUL DISTRICT.
(CRIME NO.835/2011)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S K.GOKUL , Advocate
For Respondent : M/S.P.KANNITHEVAN,
Government Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner is arrayed as accused No.2, who was arrested and remanded to judicial custody on 22.06.2016 for the alleged offences punishable under Sections 457 and 380 of IPC, in C.C.No.375 of 2011, on the file of the learned Judicial Magistrate No.II, Dindigul and hence, seeks bail.

2.The case of the prosecution is that on 18.07.2011 at about 3.15 a.m., the petitioner along with other accused break opened the house of the defacto complainant and committed theft of gold jewels and cash of Rs.89,000/-. On complaint, case has been registered for the above said offences.

3.The case of the petitioner is that the petitioner is innocent person and he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. Earlier the petitioner filed a petition for bail before the Principal sessions Court, Dindigul and he was enlarged on bail. Subsequently, he did not comply the condition and also he did not appear before the concerned Court. After receiving summons, due to stomach pain, he did not appear before the Court on 23.05.2016.



4.The learned Government Advocate (Crl.side) submitted that the matter is pending from the year 2011 for appearance of accused persons. The petitioner after enlarging the bail, he did not appear before the Court and on 23.05.2016 Non-Bailable Warrant was issued by the learned Judicial Magistrate No.II, Dindigul and the petitioner was arrested on 22.06.2016. The petitioner is having two previous cases. The next date of hearing is 08.08.2016. If the petitioner enlarged on bail, he will not co-operate for trial and trial cannot be completed for appearance for accused and prayed for dismissal of anticipatory bail petition.

5.Considering the allegation that he did not appear before the Court regularly and the case in C.C.No.375 of 2011 is pending from the year 2011 for appearance of accused persons, this Court is not inclined to grant bail to the petitioner. Hence, this petition is dismissed.

sd/-
11/07/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1.THE JUDICIAL MAGISTRATE NO.II, DINDIGUL
- 2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT
- 3.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI
- 4.THE OFFICER-IN-CHARGE
SUB JAIL, DINDIGUL
- 5.THE SUB INSPECTOR OF POLICE
DINDIGUL TOWN NORTH POLICE STATION,
DINDIGUL DISTRICT.

+1. CC to M/S K.GOKUL Advocate SR.No.36161

RL/7C/2P/ARK/PV/SARI/20/7/2016

ORDER
IN
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Date :11/07/2016