



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

Friday, the Seventeenth day of November Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL OP(MD) No.15163 of 2017

1 RAJA @ THALIFRAJA
2 ARUN @ RAJKUMAR
3 CHRISTOPHER
4 SIVA @ SIVAKUMAR

... PETITIONERS / ACCUSED Nos.1 & 4

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE
MANNAPARAI POLICE STATION,
TRICHY DISTRICT.
(CR.NO. 401 OF 2017)

... RESPONDENT / COMPLAINANT

For Petitioners : Mr. K.M. KARUNAKARAN Advocate

For Respondent : Mr.T.MOHAN, Additional Public Prosecutor

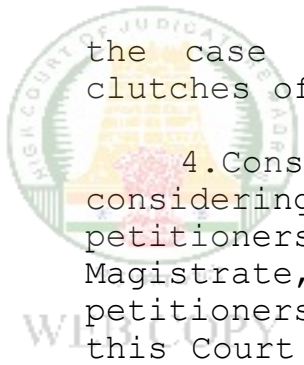
PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners/A1 to A2, who were arrested and remanded to judicial custody on 12.05.2017, for the offences punishable under Sections 392 and 397 of IPC., in Crime No. 401 of 2017, on the file of the respondent police, seek bail.

2.The learned counsel for the petitioners submitted that the petitioners are in prison from 12.05.2017 onwards. The petitioners have preferred an appeal against the order of conviction in other cases and the same are pending and suspension of sentence was also ordered.

3.The learned Additional Public Prosecutor appearing for the respondent would submit that earlier bail applications filed in Crl.O.P(MD)No.10432 of 2017 and Crl.O.P(MD)No.13083 of 2017 were dismissed by this Court as per dated 08.08.2017 and 04.10.2017 respectively. The present petition is filed for the third time by the petitioners herein and the same set of facts. He further submitted that now the case is pending in S.C.No.75 of 2017 before the learned Chief Judicial Magistrate, Trichy. Totally there are 12 witnesses in this case and out of twelve, two witnesses were examined as PW.1 and PW2 as pending for the further examination in



the case and they are enlarged on bail they may absence from clutches of law and hence, the trial will be delayed.

4.Considering the facts and circumstances of the case and also considering the fact that the case was pending against the petitioners in S.C.No.75 of 2017 before the learned Chief Judicial Magistrate, Trichy, for examination of the witnesses and also the petitioners were already convicted for the similar type of offence, this Court is not inclined to grant bail to the petitioners at this stage. Hence, this Criminal Original Petition stand is dismissed. The petitioners are directed to face the trial before the concerned Court.

sd/-
17/11/2017

/ TRUE COPY /

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

TO

- 1 THE CHIEF JUDICIAL MAGISTRATE
TRICHY
- 2 THE INSPECTOR OF POLICE
MANNAPARAI POLICE STATION,
TRICHY DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI
- 4 THE SUPERINTENDENT, CENTRAL PRISON,
TRICHY

JAM/30/11.17/CM-VR/SAR 4 /2P-5C

ORDER
IN
CRL OP(MD) No.15163 of 2017
Date :17/11/2017