



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

Friday, the Fifth day of January Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP(MD) No.141 of 2018

1 VAIKUNDAM
2 CHINNADURAI

... PETITIONER / ACCUSED

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
TIRUNELVELI TALUK POLICE STATION.
CRIME NUMBER 156/2017

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.R.JIM Advocate

For Respondent : MR.K.S.DURAI PANDIAN, Additional Public Prosecutor

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

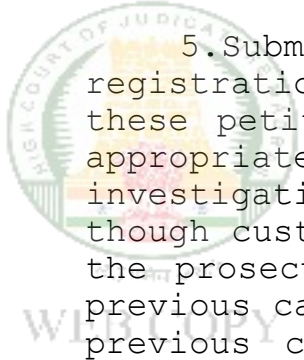
ORDER : The Court Made the following order :-

The petitioners / A1 & A2, who were arrested on 10.08.2017 for the offence punishable under Sections 294(b), 392 and 506(ii) IPC in Crime No.156 of 2017 on the file of the respondent Police, seek bail.

2.The case of the prosecution is that the petitioners way-laid the de facto complainant and extorted a sum of Rs.700/- from the de facto complainant.

3.The learned counsel appearing for the petitioners submitted that the petitioners are innocent person and they have been falsely implicated in this case. He further submitted that the petitioners have not committed any offence as alleged by the prosecution and they are no way connected with the offences and pleads for grant of bail to the petitioners.

4.The learned Additional Public Prosecutor submitted that the first petitioner is having 17 similar type of previous cases and the second petitioner is having 5 similar type of previous cases and investigation is completed and charge sheet has been filed.



5. Submissions made on either side are considered. After the registration of the case, detention order has been passed against these petitioners. Thereafter, the said order was quashed by the appropriate authority. Now, according to the prosecution, investigation is completed and charge sheet has been filed. Even though custodial interrogation is not necessary in this case, as per the prosecution the first petitioner is having 17 similar type of previous cases and the second petitioner is having 5 similar type of previous cases. So considering the previous antecedents of the petitioners, it reveals that the petitioners are the habitual offenders. Hence, considering the gravity of the offence committed by the petitioners and also considering the number of previous cases pending against the petitioners, this Court is not inclined to grant bail to the petitioners at this stage. Accordingly, this Criminal Original petition stands dismissed.

sd/-
05/01/2018

/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE,
TIRUNELVELI TALUK POLICE STATION.
- 2 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.R.JIM Advocate SR.No.174

ORDER
IN
CRL OP(MD) No.141 of 2018
Date :05/01/2018

MKV-PN-SAR 2/11.1.2018/2P-5C