



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

Wednesday, the Sixth day of February Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.1307 of 2019

MANI @ PITCHAIMANI

... PETITIONER / SOLE ACCUSED

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
MEDICAL COLLEGE POLICE STATION,
THANJAVUR DISTRICT.
(CRIME.NO.163 OF 2016)

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.K.JEGAN Advocate

For Respondent : Mr.S.CHANDRASEKAR, Additional Public Prosecutor

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

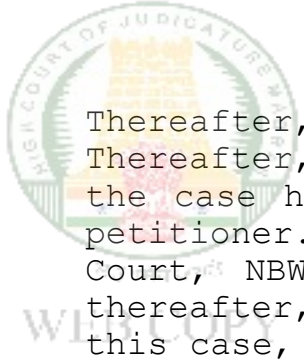
ORDER : The Court Made the following order :-

The petitioner who was arrested and remanded to judicial custody since 20.08.2018 for the offences punishable under Sections 394 & 302 IPC in Crime No.163 of 2016 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 23.05.2016, when the defacto complainant along with his wife was coming in TVS XL Super vehicle, the petitioner snatched the chain of the defacto complainant and later, due to the injuries, the wife of the defacto complainant died, for which, the respondent police altered the case into Sections 394 & 302 IPC.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution and for the past 158 days he is in judicial custody. Accordingly, he prayed for bail. The learned counsel further contended that the petitioner is ready to abide by any of the conditions that are to be imposed by this Court.

4.The learned Additional Public Prosecutor would submit that initially the case has been registered under Section 394 IPC.



Thereafter, the petitioner was enlarged on bail by the trial Court. Thereafter, due to the death of the wife of the defacto complainant, the case has been altered into Sections 394 & 302 IPC against the petitioner. Since the petitioner did not appear before the trial Court, NBW was issued against the petitioner on 16.05.2017 and thereafter, the petitioner was secured on 20.08.2018. Apart from this case, there are 9 previous cases pending against the petitioner and in this case, the trial is in progress before the trial Court. Hence, he vehemently opposed for granting bail to the petitioner.

5. Considering the facts and circumstances of the case, the nature of the offence committed by the petitioner and considering the pendency of the cases against the petitioner, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

sd/-
06/02/2019

/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE,
MEDICAL COLLEGE POLICE STATION,
THANJAVUR DISTRICT.
- 2 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

PS/PN/SAR-4/18.02.2019/2P/4C

ORDER
IN
CRL OP (MD) No.1307 of 2019
Date : 06/02/2019