



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26/05/2021

WEB COPY

PRESENT

The Hon'ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD) . No.7027 of 2021

Raja Alias Appala Raja

... Petitioner/Accused/
Accused No.13

Vs

The State Rep. by
The Inspector of Police,
Karimedu Police Station,
Madurai City.
Crime No.996/2012.

... Respondent/Respondent/
Complainant

For Petitioner : Mr.Jegadeesh Pandian M,
Advocate.

For Respondent : Mr.M. Marimuthu
Government Advocate (Crl.Side)

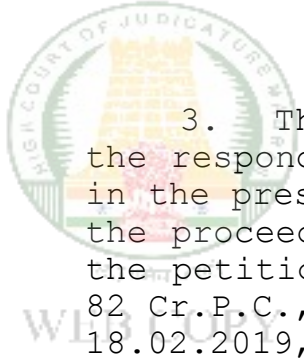
PETITION FOR BAIL Under Sec.439 of Cr.P.C

PRAYER :- To Enlarge the Petitioner on bail in connection with the case in S.C No. 238/2018 on the file of the Learned IV Additional District and Sessions Judge, Madurai.

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondent.

2. The learned counsel appearing for the petitioner would submit that the accused was already released on bail by the Court of Jurisdictional Magistrate in the year 2015 itself So far as the present case is concerned, that after committal of the case to the District Court bail was cancelled, that subsequently, the petitioner was arrested in connection with the case in Crime No. 165 of 2019 on 21.12.2019, that the detention order passed against him was quashed by this Court in H.C.P.No.314 of 2020, dated 05.02.2021, that the respondent police after the lapse of 1 ½ years has taken steps and the petitioner was remanded to judicial custody on 09.03.2021, that the petitioner has been granted bail in all other cases and that therefore, he has to be enlarged on bail.



3. The learned Government Advocate (Crl. Side) appearing for the respondent would submit that the petitioner is the main accused in the present case of murder, that his intention is only to drag on the proceeding, that the 7th accused is still absconding, that since the petitioner was continuously absconding proceeding under Section 82 Cr.P.C., was initiated and subsequently his bail was cancelled on 18.02.2019, that subsequently, the petitioner was produced on 09.03.2021 and is in judicial custody, that the respondent police has been maintaining the History Sheet No.294 of 2006 and is under surveillance and that therefore, the respondent police is strongly objecting to release the accused on bail.

4. Considering the facts and circumstances and also fact that the petitioner is having 22 previous cases, which includes 8 murder cases, two cases under Explosives Substances Act and 9 Robbery cases and also considering the submission of the learned Additional Public Prosecutor that the accused is a notorious and History Sheet offender and that if the petitioner is enlarged on bail, he will abscond, this Court is not inclined to enlarge the petitioner on bail.

5. Accordingly, the Criminal Original Petition is dismissed.

sd/-

26/05/2021

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/ /2021

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

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1. THE SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE.
2. THE INSPECTOR OF POLICE,
KARIMEDU POLICE STATION,
MADURAI DISTRICT.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER IN

CRL OP(MD) No.7027 of 2021

Date :26/05/2021