



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 12/10/2021

PRESENT

WEB COPY

The Hon'ble Mrs.Justice S.ANANTHI

CRL.OP(MD).No.15884 of 2021

1.Sivamurugan
2.Archunan

... Petitioners/Accused Nos.2&3

Vs

The State rep.
By the Inspector of Police,
Karaikudi North Police Station,
Sivagangai District.
Crime No.505 /2021.

... Respondent/Complainant

For Petitioners :Mr.P.Suresh Kumar, Advocate.
For Respondent :Mr.C.Antony Sahaya Prabahar
Additional Public Prosecutor

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

PRAYER :-For the Bail in Crime No.505 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order:-

The petitioners/Accused Nos.2 and 3, who were arrested on 23.09.2021 for the alleged offence under Section 399 I.P.C., in Cr.No.505 of 2021 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the accused persons are preparing decoity with iron rod and knife. Hence, this complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocent and they have not committed any offence as alleged by the prosecution, but they have been falsely implicated in this case.

4.The learned Additional Public Prosecutor appearing for the respondent police, on instructions, would submit that there is one previous case pending against the petitioners in Cr.No.457 of 2021 for the offence punishable under Sections 294(b), 307, 323, 343 and 506(ii) IPC against the first petitioner and Sections 294(b), 341, 323, 307 and 506(ii) IPC against the second petitioner.



5. In view of the submission made by the learned Additional Public Prosecutor and considering the antecedents of the petitioner and also considering the fact that Section 399 IPC is grave in nature, this Court is not inclined to grant bail to the petitioners. Accordingly, this Criminal Original Petition is dismissed.

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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 INSPECTOR OF POLICE
KARAIKUDI NORTH POLICE STATION, SIVAGANGAI DISTRICT.
- 2 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP (MD) No.15884 of 2021
Date :12/10/2021

CMR/MM
MK/VR/SAR.III/22.10.2021/2P/4C