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

Dated: 21/07/2022

PRESENT

The Hon'ble Mr.Justice **G.ILANGOVAN**

Cr1.OP(MD)No.12522 of 2022

Natchipalani @ Palani : Petitioner/A1

Vs.

State through,
The Inspector of Police,
Pattukkottai Police Station,
Thanjavur District.
(In Crime No.36 of 2022)

: Respondent/Complainant

For Petitioner : Mr.S.Ramesh Kumar

For Respondent : Mr.P.Kottai Chamy
Government Advocate
(Criminal side)

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

PRAYER :-

C-33B-For Bail in Crime No.36 of 2022 on the file of
the Respondent Police.

ORDER : The Court made the following order :-



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The petitioner, who is arrayed as A1 was arrested, on 09/01/2022 and remanded to judicial custody for the alleged offences punishable under sections 341, 294(b), 352, 365, 392, 506(ii) IPC and sections 25(1A) and 27(1) of the Arms Act, 1959, in Crime No.36 of 2022, seeks bail.

2.The case of the prosecution is that the de-facto complainant lodged a complaint stating that on 08/01/2022 at about 3.30 pm, when he was returning to his house after finishing his work, at about 4.45 pm, three persons coming in a four wheeler bearing registration No.TN-55-AZ-0937, waylaid him, criminally intimidated, abducted him in a car, dropped him near a bushing area and snatched away a mobile phone. On the next day, a complaint was lodged. On enquiry, the name of the accused persons came to his knowledge. So on that basis, the case was registered.

3.Seeking bail, this petition came to be filed by the petitioner, who is arrayed as A1.

4.Heard both sides.



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5.Perusal of the CD file shows that the petitioner was produced on PT warrant, when he was detained in another criminal case.

6.Considering the duration of the custody, a report has been called from the concerned court. The learned Judicial Magistrate, Pattukottai has submitted a letter stating that final report was filed, on 14/07/2022 and due to some defects, memorandum was issued to rectify the defects in D No.648/2022, dated 15/07/2022. Technically, the petitioner is entitled for statutory bail. The bail application that was moved by this petitioner came to be dismissed in more than one occasions.

7.From the information furnished by the respondent, it is seen that this petitioner is having 9 previous cases, including a murder case and the offence under the provision of NDPS Act cases. Even though the petitioner has got bad antecedents, but however, considering the duration of the custody, he is automatically entitled for statutory bail.



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So, this court is inclined to grant bail to the petitioner/A1 with certain conditions. Accordingly, the petitioner/A1 is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Pattukottai and on further condition that the petitioner shall report before the respondent police daily at 10.30 am until further orders.

(G I J)
21.07.2022

ER

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.



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To,

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- 1.The Inspector of Police,
Pattukkottai Police Station,
Thanjavur District.
- 2.The Additional Public prosecutor,
Madurai Bench of Madras High Court,
Madurai.
- 3.The Central Prison,
Trichy.



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G.ILANGO VAN J

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