



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

Date : 09/11/2022

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD). No.19816 of 2022

Balakrishnan

... Petitioner/Sole Accused

Vs

The State represented by
The Inspector of Police,
Kumbakonam East Police Station,
Thanjavur District.
(Crime No.531/2022).

... Respondent/Complainant

For Petitioner : M/s.Arun Prasad D,
Advocate.

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Cr No.531/2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who was arrested and remanded to judicial custody on 16.10.2022 for the offence under Sections 201, 204, 217, 218, 219, 381 and 409 IPC in Crime No.531 of 2022, seeks bail.

2.The case of the prosecution is that the Head Clerk of Judicial Magistrate No.I, Kumbakonam, lodged a complaint alleging that while the petitioner was working as Junior Assistant in II ADM cum Judicial Magistrate No.I, Kumbakonam, on 19.11.2009, a case registered for the offence under Section 302 IPC in Crime No.257 of 2009 of Thiruvudaimaruthur Police Station was taken on file as P.R.C.No.27 of 2009 and on the date of filing onwards, that case was not posted and it was missing and there was no entry in the diary and hearing book in respect of the said case and during that period, the petitioner was in-charge of the post of Bench Clerk and in such a circumstance, in the P.R.C. Register, the petitioner had wrongly made an endorsement that the case was committed to Sessions Court with the case bundle. Hence, the case.



3.The learned counsel for the petitioner would submit that the petitioner is innocent and he was retained from the job before two years and he has not committed any offence as alleged by the prosecution. The petitioner is in judicial custody from 16.10.2022. Hence, he prays for bail.

4.The learned Additional Public Prosecutor would submit that the offence is very serious and if he is released on bail, there is every likelihood of absconding. Hence, he strongly opposed to grant bail.

5.Considering the gravity and nature of the offence and also considering the overt act attributed against the petitioner, this Court is not inclined to grant bail to the petitioner.

6.Accordingly, this Criminal Original Petition is dismissed.

sd/-

09/11/2022

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/11/2022

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

TO

1 THE INSPECTOR OF POLICE
KUMBAKONAM EAST POLICE STATION, THANJAVUR DISTRICT.

2 THE OFFICER INCHARGE,
SUBJAIL, THANJAVUR.

3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.19816 of 2022

Date :09/11/2022

SS/VR/SAR II/21.11.2022/ 2P/ 4C