



WEB COPY



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

Date : 21/11/2022

PRESENT

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

CRL OP(MD) . No.20574 of 2022

Karthik @ Kutlu Karthik

... Petitioner/Accused No.8

Vs

State rep.by
The Inspector of Police,
Pallathur Police Station,
Sivagangai District.
(Crime No.91 of 2022).

... Respondent/Complainant

For Petitioner : M/s.Karuppiah G, Advocate.

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

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

PRAYER :-

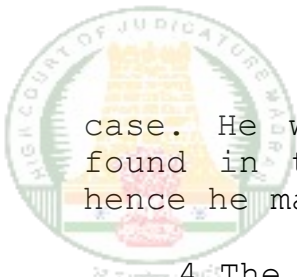
For Bail in Crime No.91 of 2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A8, who was arrested and remanded to judicial custody on 09.10.2022 for the offences punishable under Sections 397 @ 341, 392, 397 and 120(b) of IPC, in crime No.91 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 06.10.2022, at about 04.30 p.m, when the defacto complainant proceeding towards Karaikudi with cash amount of Rs.11 lakh in a TATA Act Goods Vehicle, the accused persons, who were followed him in a Swift Car, way laid his vehicle and attacked him with weapons and robbed the said amount. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this



case. He would further submit that the petitioner's name was not found in the FIR and he is in judicial custody from 09.10.2022, hence he may be released on bail.

4.The learned Government Advocate (Crl. side) would submit that totally 9 accused are involved in this case. The petitioner was arrayed as A8. The amount robbed by the accused persons is Rs.11 lakh. The amount recovered from the accused is Rs.2,40,000/-. Since, the balance amount has to be recovered, the custodial interrogation of the petitioner is necessary. He is the master mind of the occurrence and he is having 8 previous cases. Out of which, 1 is 302 IPC case. A4, A5 & A6 are absconding and the investigation is still pending. Hence, he strongly opposed to grant bail.

5.Considering the facts and circumstances of the case and also considering the gravity of the offence, this Court is not inclined to grant bail to the petitioner.

6.Accordingly, this Criminal Original Petition is dismissed.

Sd/-

21/11/2022

/ TRUE COPY /

/11/2022

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

DSS

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,
PALLATHUR POLICE STATION,
SIVAGANGAI DISTRICT.
2. THE OFFICER INCHARGE,
DISTRICT JAIL, PUDUKKOTTAI.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.20574 of 2022

Date :21/11/2022