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

Date : 13/12/2022

PRESENT

The Hon`ble Mr.Justice A.D.JAGADISH CHANDIRA

CRL OP(MD) . No.21811 of 2022

Sakthivel ... Petitioner/Accused No.1

Vs

State rep.by
The Inspector of Police,
Sayalkudi Police Station,
Ramanathapuram District.
(Crime No.299 of 2022). ... Respondent/Complainant

For Petitioner : M/s.Sathish Kumar K, Advocate.

For Respondent : Mr.T. Senthil Kumar,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.299 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 04.11.2022 for the offences punishable under Section 392 IPC in Crime No.299 of 2022 on the file of the respondent Police, seeks bail.

2.The case of the prosecution, as per the de-facto complainant is that on 04.11.2022 at about 6.30 pm, while the she was returning to home after shopping, the accused persons came in a two wheeler and snatched 3½ sovereigns of gold chain from her neck and at that time, she raised noise and that nearby people tried to catch the accused persons, they slipped and fell down from the vehicle and at that time A2 escaped from the scene of occurrence with the chain and the first accused sustained injury and he was taken to hospital. Hence, the complaint.



3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in this case and thereby, he seeks bail.

4. The learned Government Advocate (Crl.side) would submit that that the petitioner is a habitual offender and he has involved in the offence of robbery, chain snatching and also NDPS Act. He would further submit that if the petitioner is released on bail there will be a chance for absconding and the prosecution will be derailed and hence, he strongly opposed to grant bail to the petitioner.

5. In the earlier occasion, the petitioner counsel submitted that a false case has been registered against the petitioner and thereby, this Court directed the respondent police to file a proof of the same and that the respondent police has shown the CCTV footage of the occurrence.

6. Heard and perused the report filed by the respondent police.

7. Considering the facts and circumstances of the case and also considering the fact that the petitioner is a habitual offender and that he has also involved in robbery and NDPS Act cases, this Court is not inclined to grant bail to the petitioner.

8. Accordingly, this Criminal Original Petition is dismissed.

Sd/-

13/12/2022

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/12/2022

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

trp

TO

1. THE INSPECTOR OF POLICE,
SAYALKUDI POLICE STATION,
RAMANATHAPURAM DISTRICT.
2. THE OFFICER INCHARGE,
DISTRICT PRISON, RAMANATHAPURAM.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP (MD) No.21811 of 2022

Date :13/12/2022