



WEB COPY

CRL OP(MD)



23

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

Date : 11/01/2023

PRESENT

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

CRL OP(MD). No.777 of 2023

Kaveri Udayar

... Petitioner/Accused No.2

Vs

The State rep.by,.

The Inspector of Police,

Manur Police Station,

Tirunelveli District. (Crime No.442 of 2022)

... Respondent/Complainant

For Petitioner : M/s.Jegdeesha Pandian V.M., 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.442 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused, who was arrested and remanded to judicial custody on 04.12.2022, for the offences punishable under Sections 294(b), 353, 307 IPC r/w. 8(c), 20(b)(ii)(A) of Narcotic Drugs and Psychotropic Act, 1985 in Crime No.442 of 2022, seeks bail.

2. The case of the prosecution is that on 04.12.2022 the petitioner and other accused were illegally found in possession of 300 grams of banned Tobacco Products. While arresting the accused persons, A1 threatened the defacto complainant by showing the small sword and uttered foul language. Hence, the complaint.

3.The learned counsel appearing for the petitioner submitted that the petitioner is innocent and he has not committed any offence, as alleged by the prosecution and he has been falsely



implicated in this case. He further submitted that the petitioner is in judicial custody from 04.12.2022 and this is the second petition for bail. Hence, prays for bail.

4.The learned Additional Public Prosecutor would submit that the petitioner is a habitual offender and there are 19 previous cases against the petitioner. He further submitted that the investigation of the case is pending. Though this is the second petition for bail, there is no change in circumstances. Hence, prays to dismiss the petition.

5. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

6.On considering the gravity and bad antecedents of the petitioner, this Court very recently on 23.12.2022 dismissed the bail petition filed by the petitioner. Though, the petitioner has filed a second petition seeking for bail, this Court finds no change in circumstances to enlarge him on bail.

7.In view of the above, this Criminal Original Petition stands dismissed.

sd/-

11/01/2023

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/01/2023

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

PNM

TO

- 1 THE SUPERINTENDENT,
CENTRAL PRISON,
PALAYAMKOTTAI,
TIRUNELVELI DISTRICT.
- 2 THE INSPECTOR OF POLICE
MANUR POLICE STATION,
TIRUNELVELI DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.777 of 2023

Date :11/01/2023