



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.03.2023

PRESENT

THE HON'BLE MR.JUSTICE **A.D.JAGADISH CHANDIRA**CRL.O.P(MD)No.4204 of 2023

WEB COPY

Madhaiyan @ Mahadevan

...Petitioner/ Sole Accused

-vs-

The State represented by
The Inspector of Police,
Nachiyarkoil Police Station,
Tanjore District.

(in Cr.No.583 of 2022)

...Respondent/ Complainant

PRAYER: Criminal Original Petition filed under Section 438 of Cr.P.C, praying to enlarge the petitioners on bail in the event of their arrest by the respondent Police with respect to Cr.No.583 of 2022.

For Petitioners

: Mr.A.Nagendiran

For Respondent

: Mr.T.Senthil Kumar

Government Advocate (Crl.side)

ORDER

The petitioner, who arrested and remanded to judicial custody on 18.11.2022 for the offences punishable under Section 392 of IPC in Crime No.583 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 due the petitioner has robbed 3 ½ sovereigns of gold chain from the de-facto complainant. Hence, the complaint.

3.The learned Counsel for the petitioners would submit that the petitioner is an innocent and the petitioner has been falsely implicated in this case. He would also submit that the petitioner has not committed any offence, as alleged by the prosecution. He would also submit that the petitioner is ready to abide by any stringent conditions, that may be imposed on him. Hence, he would seek for bail to the petitioner.

4.The learned Government Advocate (Crl.side) would submit that the the petitioner has robbed 3 ½ sovereigns of gold chain from the de-facto complainant. Hence, the complaint. He would also submit that the petitioner is a habitual offender and as against the petitioner, there are 21 previous cases pending against him and hence, he would strongly oppose to grant anticipatory bail to the petitioner.



5. Taking into consideration the habituality of the petitioner in committing the crime and also the fact that the petitioner has 21 previous cases pending against him, this Court is not inclined to grant anticipatory bail to the petitioner. Hence, this petition is dismissed.

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03/03/2023

/ 03 /2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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To

1. The Inspector of Police,
Nachiyarkoil Police Station,
Tanjore District.

2. The Officer In-Charge,
Thiruvaidaimaruthur Sub Jail,
Tanjore District.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN
CRL OP (MD) No.4204 of 2023
Date : 03/03/2023

RD/SAR-II (13/03/2023) 2P 4C