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CRL OP(MD).



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/04/2023

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) . No.6780 of 2023

Pandi @ Pandian @ Seeyanpandiyan, ... Petitioner/Accused No.2

Vs

State Rep.by
The Inspector of Police,
Munnirpallam Police Station,
Tirunelveli District.
(In Crime No.407/2021).

... Respondent/Complainant

For Petitioner : M/s.Yamuna.R, Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor (crl.side)

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

PRAYER :-

For Bail in Cr No.407/2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner /A2 who was arrested and remanded to judicial custody on 16.09.2021 for the offences under sections 302 @ 34,147,148,149,120(B),341,342, and 302 of IPC in Crime No.407 of 2021 on the file of the respondent police seeks bail.

2. The case of the prosecution is that due to previous enmity the accused persons have indiscriminately attacked the deceased with deadly weapons and caused his death, hence the case came to be registered.

3. Heard both sides and perused the materials available on <https://www.mca.gov.in/> including the First Information Report.



4. The learned counsel for the petitioner would submit that the petitioner is suffering from various health ailments and as such in order to get medical treatment he may be granted interim bail.

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5. It is a case of communal clash between two groups. The petitioner herein is arrayed as A2. Though the petitioner was arrested on 16.09.201 and produced before the court on the next day. The petitioner again murdered another person, for which a case in crime No. 408 of 2021 came to registered. That apart the petitioner so far involved in 23 previous cases. In the present complaint final report has been filed and taken cognizance by the trial Court in S.C. No.424 of 2022 on the file of the learned III Additional Sessions Judge, Tirunelveli and the prosecution had examined P.W.1 to P.W.3 and posted the case for further examination of witnesses. He would further submit that police picketing is still there and if the accused is released on bail, there is a chance of another communal clash, hence this Court is not inclined to grant bail to the petitioner.

6. In the result, the petition stands dismissed. However considering the request made by the learned counsel for the petitioner, the jail authorities are directed to give treatment to the petitioner if he is having any health issues

sd/-
21/04/2023

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/04/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

AAV
TO

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

ORDER
IN
CRL OP(MD) No.6780 of 2023
Date :21/04/2023