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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.13749 of 2023

Chermadurai

... Petitioner/ Accused No.2

Vs

The State represented by
The Inspector of Police,
Thattarmadam Police Station,
Thoothukudi District,
Crime No.29/2021.

... Respondent/Complainant

For Petitioner : M/s Manoj Kumar.S,
Advocate.

For Respondent : Mr.B.Nambiselvan,
Additional Public Prosecutor

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

PRAYER :-

To enlarge the petitioner on bail in C.C.No.87 of 2023 on the file of the Judicial Magistrate, Sattankkulam in Crime No.29/2021.

ORDER : The Court made the following order :-

The petitioner/ Accused No.2 herein, who was arrested on 16.02.2023 for the



alleged offence under Sections 457 and 380 of IPC, in Crime No.29 of 2021, on the file
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of the respondent police, seeks bail.

2.The case of the prosecution is that on 11.02.2021 at about 6.30 p.m., the defacto complainant locked his house and went to parental home. Next day morning, she came back. At that time, she found the doors were opened and 5 ½ sovereigns of jewels were missing. Hence, the complaint.

3.After completing the investigation, final report has been filed before the concerned Court and the same was taken cognizance in C.C.No.87 of 2023, on the file of learned Judicial Magistrate, Sattankulam.

4.The learned Additional Public Prosecutor would submit that on enquiry, the involvement of the accused persons came to light. Property has been recovered from A1. On the basis of confession of co-accused he has been implicated. The petitioner is having 23 previous cases. Out of which 19 cases are similar in nature.

5.Considering the habitual offending nature of the petitioner, this Court is not inclined to grant bail to the petitioner.



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6. Since final report has been filed before the learned Judicial Magistrate, Sathankulam, there shall be a direction to the trial Court to expedite the trial process in C.C.No.87 of 2023, pending on his file and complete the same within a period of five months from the date of receipt of a copy of this order.

7. With the above said directions, this criminal original petition stands dismissed.

sd/-
27/07/2023

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/09/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TM
TO

- 1 THE JUDICIAL MAGISTRATE,
SATHANKULAM.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, TUTICORIN DISTRICT.
- 3 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.
- 4 THE INSPECTOR OF POLICE
THATTARMADAM POLICE STATION,
THOOTHUKUDI DISTRICT



5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

COPY TO:
THE REGISTRAR(JUDICIAL),
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.13749 of 2023
Date :27/07/2023

SS/VR/05/09/2023/4P/7C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023