



CRL OP(MD). No.14473 of 2023

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

Date : 23/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.14473 of 2023

1. Ajay

2. Jagatheeswaran

... Petitioners / Accused No.2 and 3

Vs

The State rep by
The Sub Inspector of Police,
Veerapandi Police Station,
Theni District.
(Crime No.245 of 2023.)

... Respondent / Complainant

For Petitioner : M/s.Dinesh K, Advocate.
For Respondent : Mr.B.Nambiselvan,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.245 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/ Accused No.2 & 3 herein, who were arrested on 04.07.2023 for
the alleged offence under Sections 341, 294(b), 323, 324, 397 and 506 (ii) of IPC, in



CRL OP(MD). No.14473 of 2023

Crime No.245 of 2023, on the file of the respondent police, seeks bail.

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2.The case of the prosecution is that the defacto complainant is working in a finance company and on the date of occurrence while he was returning to his office after collecting money from their customers, four unknown persons way laid him. When the defacto complainant asked them that why they were asking such questions, they attacked him and took away his phone and Rs.4,000/- by showing knife. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocent person and did not involve in any case as alleged by the prosecution. According to him, they are in custody for more than 60 days.

4.The learned Additional Public Prosecutor would submit that the bail application filed by the co-accused viz., Accused No.1, was dismissed by this Court by the order, dated 04.08.2023 in Crl.O.P.(MD).No.14311 of 2023, considering the bad antecedents. He would further submitted that the first petitioner is having previous cases of similar in nature. The second petitioner is also having two previous cases, among which, one is similar in nature.

5.Considering the antecedents of the petitioners, this Court is of the view that if the petitioners are released on bail, there is no guarantee that they will not indulge in similar offences after obtaining bail. Even though in earlier crimes they were



CRL OP(MD). No.14473 of 2023

released on bail, again they indulged in this crime. Hence, they are not entitled for any discretionary relief from this Court. This petition deserves to be dismissed.

6. Accordingly, this criminal original petition is dismissed.

sd/-
23/08/2023

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/08/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TM

To

1. The Inspector of Police,
Veerapandi Police Station,
Theni.

2. The Officer Incharge,
Sub Jail,
Thekkampatti, Theni.

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

ORDER
IN
CRL OP(MD) No.14473 of 2023
Date :23/08/2023

ED/ /SAR- (28/08/2023) 3P / 4 C
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