



CRL OP(MD). No.14664 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.14664 of 2023

Giriraja,

... Petitioner/ Accused No.4

Vs

State Rep.by
The Inspector of Police,
Kenikarai Police Station,
Ramanathapuram District.
(Crime No.177 of 2008).

... Respondent/Complainant

For Petitioner : M/s.Anbumanikandan.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.177 of 2008 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ Accused No.4 herein, who was arrested on 07.07.2023 for the alleged offence under Sections 450, 395 r/w 397 r/w 34 of IPC, in Crime No.177 of 2008, on the file of the respondent police, in P.R.C.No.13 of 2017 on the file of the



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Judicial Magistrate No.II, Ramanathapuram, seeks bail.

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2.After completing the investigation, the final report was filed before the concerned Court. Now it is pending before the learned Judicial Magistrate No.II, Ramanathapuram. During the trial process, due to the absence of the petitioner, NBW was issued against the petitioner on 11.05.2017. On execution of the above said warrant, the petitioner was arrested on 07.07.2023.

3.A report was called for from the trial Court. Report received. Reading of the report shows that against this petitioner and one Sibbu, the case was split up in P.R.C.No.13 of 2017. Out of the above said two accused, now the Sibbu reported to be dead. Trial proceedings is pending only against this petitioner. It is also brought to the notice of this Court that death of the co-accused namely Sibbu, so far not reported before the trial Court.

4.Let the above said report be immediately submitted to the committal Court. The crime is of the year 2008. Because of the non appearance of the petitioner only, the committal process is not yet over. The other co-accused faced the trial and has been convicted and undergoing sentence period. It is also seen that the petitioner is involved in previous cases that too grievous. Considering the antecedents of the petitioner, this Court is not inclined to grant bail to the petitioner. If the petitioner is granted bail, he will abscond again and the committal process will be hampered. So



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this petition deserves to be dismissed.

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5. Accordingly, this criminal original petition stands dismissed.

sd/-
18/08/2023

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

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TO

- 1 THE INSPECTOR OF POLICE
KENIKARAI POLICE STATION,
RAMANATHAPURAM DISTRICT.
- 2 THE OFFICER INCHARGE
DISTRICT PRISON, RAMANATHAPURAM.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.14664 of 2023
Date :18/08/2023

PKP/VR/SAR- /07.09.2023/ 3P/4C

Madurai Bench of Madras High Court is issuing certified
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