



CRL OP(MD). No.16386 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 13/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.16386 of 2023

G.Dinesh Kannan

... Petitioner/ Accused No.2

Vs

State Rep.by
The Sub-Inspector of Police,
Thiruchuli Police Station,
Aruppukottai Taluk,
Virudhunagar District.
Crime No. 157 of 2012.

... Respondent/Complainant

For Petitioner : M/s.Prabhu.L, 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. 157 of 2012 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/ Accused No.2 herein, who was arrested on 14.08.2023 for the alleged offence under Sections 147, 148, 294(b), 341, 323, 353, 336 of IPC and Section 3 (1) & 5 of TNPPDL Act, in Crime No.157 of 2012, on the file of the respondent police in S.C.No.98 of 2014 on the file of the Additional District and sessions Court, Virudhunagar, seeks bail.

2.The crime is of the year 2012 and the case is of the year 2014. After completion of the investigation, the case was taken cognizance in S.C.No.98 of 2014. It was



CRL OP(MD). No.16386 of 2023

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submitted that for about one year, the some of the accused persons including this petitioner remained absent before the trial Court. Because of the continuous absence, the Non Bailable Warrant has been issued against the petitioner. The case was also split up against the accused persons in S.C.No.34 of 2023, who were absent for the long period. In respect of regularly appearing accused the case was proceeded in parent case S.C.No.98 of 2014.

3.Now on the ground that the parent case was posted for 313 cr.p.c. questioning, this petition has been filed seeking bail. The learned counsel for the petitioner would submit that since the petitioner met with an accident on 23.05.2023 and admitted in the hospital and underwent surgery, he could not appear before the trial Court regularly. Now he has to undergo further treatment. But, for the absence on the date of issuance of warrant, there was no explanation by him. Subsequent to the issuance of warrant only, he met with the accident. Therefore, that ground cannot be taken by this Court.

4.In view of the above, this court is of the view that if the petitioner if released on bail, there is every likelihood of hampering the trial process and tampering the witnesses. He may be abscond again. The main case is going to be over in short time. The case was also split up against this petitioner. Therefore, the trial Court shall proceed the split up case in S.C.No.34 of 2023, against this petitioner. After



CRL OP(MD). No.16386 of 2023

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examination of the material witnesses, the petitioner can revive his bail application before the trial Court. Let the above said trial process against the petitioner in S.C.No.34 of 2023, be completed within a period of five months from the date of receipt of a copy of this order. The material witnesses be examined within a period of one month from the date of receipt of a copy of this order.

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

sd/-
13/09/2023

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/10/2023

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

TM
TO

1 THE ADDITIONAL DISTRICT AND SESSIONS JUDGE, VIRUDHUNAGAR.

2 THE OFFICER INCHARGE, ARUPPUKOTTAI SUB-JAIL,
VIRUDHUNAGAR DISTRICT.

3 THE SUB INSPECTOR OF POLICE, THIRUCHULI POLICE STATION,
ARUPPUKOTTAI TALUK, VIRUDHUNAGAR DISTRICT.

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



CRL OP(MD). No.16386 of 2023

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

+1 CC to M/s.L.PRABHU, Advocate (SR-13580[I] dated 13/09/2023)

ORDER
IN

CRL OP(MD) No.16386 of 2023
Date :13/09/2023

RS/JGB/SAR-(12.10.2023) 4P 7C
Madurai Bench of Madras High Court is issuing
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