



CRL OP(MD). No.18046 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/12/2023

PRESENT

The Hon`ble Mr.Justice V. SIVAGNANAM

CRL OP(MD). No.18046 of 2023

Kendai @ Kajendran

... Petitioner/ Accused No.5

Vs

The Inspector of Police,
Aruppukottai Town Police Station,
Virudhunagar District.
(Crime No.271/2022).

... Respondent/Complainant

For Petitioner : M/S.J.ALEXANDER, Advocate.

For Respondent : MR.RMS.SETHURAMAN, Additional Public Prosecutor

PRAYER :-

To release the petitioner on bail relating to the case in P.R.C.No.11 of 2023 on the file of the learned Judicial Magistrate Court, Aruppukottai, Virudhunagar in the case in Crime No.271 of 2022 on the file of the Respondent dated 25.11.2022.

ORDER : The Court made the following order :-

The petitioner, who is arrayed as accused, was arrested and remanded to Judicial Custody on 02.12.2023 for the offence under Sections 147, 148 and 302 IPC, 1860 in Crime No.271 of 2022, charge sheeted in PRC.No.11 of 2023 on the file of the learned Judicial Magistrate, Aruppukottai, Virudhunagar, seeks bail.



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2.The case of the prosecution is that on 24.11.2022, the defacto complainant's brother and one Sabarimalai coming in a two Wheeler and during that time, the petitioner along with other accused assaulted them with Aruval, due to which, the deceased died. Hence, the case.

3.The learned counsel appearing for the petitioner submitted due to the ill-health of the petitioner's son, the petitioner is not able to comply with the earlier order passed by this Court in Crl.O.P(MD).No.5617 of 2023, dated 27.03.2023. He further submitted that petitioner is in judicial custody from 02.12.2023 and seeks bail.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that the petitioner has not complied with the earlier order passed by this Court in Crl.O.P(MD).No.5617 of 2023, dated 27.03.2023 and hence, the cancellation of bail petition filed by the respondent police in Crl.M.P(MD).No.2781 of 2023 and the same was cancelled on 08.06.2023. He would further submit that the petitioner is having seven previous cases and hence, he strongly objected to grant bail to the petitioner.

5.Considering the serious nature of allegations made against the petitioner and that he is having seven previous cases and also considering the fact that he has not complied with the earlier order passed by this Court, this Court is not inclined to grant bail to the petitioner.



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6. Accordingly, this Criminal Original Petition is dismissed.

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/01/2024

Sub-Assistant Registrar (C.S.I/II/III/IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP
TO

1 THE JUDICIAL MAGISTRATE, ARUPPUKOTTAI, VIRUDHUNAGAR DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTTUR.

3 THE INSPECTOR OF POLICE, ARUPPUKOTTAI TOWN POLICE STATION,
VIRUDHUNAGAR DISTRICT.

4 THE OFFICER INCHARGE, VIRUDHUNAGAR DISTRICT JAIL,
VIRUDHUNAGAR.

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

ORDER
IN

CRL OP(MD) No.18046 of 2023

Date :12/12/2023

RS/JGB/SAR-(02.01.2024) 3P 6C
Madurai Bench of Madras High Court is issuing
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