



CRL OP(MD). No.18670 of 2023

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

Date : 18/10/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.18670 of 2023

Viji @ Vijayakumar

... Petitioner / Accused No.2

Vs

State rep by
The Inspector of Police,
Pattukkottai Town Police Station,
Thanjavur District.
(Crime No.196 of 2013).

... Respondent/Complainant

For Petitioner : M/s.Anandan B, Advocate.
For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

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

PRAYER :-

To enlarge the petitioner/accused on bail in P.R.C.No.40 of 2015 pending on the file of the learned Judicial Magistrate, Pattukkottai.

ORDER : The Court made the following order :-

This is the second bail application. Earlier bail was dismissed by this Court in

CrI.O.P.(MD).No.16387 of 2023 making following observations:



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The petitioner/Accused herein, who was arrested on 02.08.2023 for the alleged <https://www.mhc.tn.gov.in/judis> 2 offences under Sections 294(b), 324 and 307 of IPC, in Crime No.196 of 2013, on the file of the respondent police, seeks bail.

2.The petitioner facing charges under Sections 294(b), 324 and 307 of IPC, before the committal Court in P.R.C.No.40 of 2015. He was released on bail. Later he failed to appear before the committal Court regularly. Therefore, warrant was issued. Only to execute the warrant, dated 24.06.2019, he was arrested on 02.08.2023, after lapse of four years.

3.The learned Additional Public Prosecutor would submit that the petitioner was involved in previous cases for the offence punishable under Sections 399, 294 and 324 of IPC. He is a history sheeted person in H.S.No.16 of 2013.

4.In view of the submissions made by the learned Additional Public Prosecutor this Court is of the view that even though he is in custody for more than 30 days, he is not entitled for any retry from this Court, considering his Attitude, this petition deserves to be dismissed.



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5. Accordingly, this criminal original petition stands dismissed

2. The learned Additional Public Prosecutor would submit that trial commenced and number of the witnesses have been examined.

3. Since the trial commenced and within a short time, the trial process will be over, at this juncture, the petitioner is not entitled for bail.

4. Accordingly, this Criminal Original Petition is dismissed.

sd/-
18/10/2023

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/11/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

VSG

To

1. The Inspector of Police,
Pattukkottai Town Police Station,
Thanjavur District.

2. The Officer Incharge,
District Prison,
Pudukkottai.

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



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ORDER

IN

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Date :18/10/2023

ED/JGB/SAR- (21/11/2023) 4P / 4C

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