



CRL OP(MD)No.19296 of 2023

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

Date : 26.10.2023

PRESENT

The Hon`ble Mr.Justice R.SAKTHIVEL
CRL OP(MD)No.19296 of 2023

T.Manikandan @ Nerupukuchi Mani

... Petitioner/ Accused Rank No.3

Vs

State Rep.by
The Inspector of Police,
Papanasam Police Station,
Thanjavur District.
(Crime No.783 of 2022)

... Respondent/Complainant

For Petitioner : Mr.R.L.Dhilipan Pandian, Advocate
For Respondent : Mr.A.Thiruvadikumar
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.783 of 2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A3, who was arrested and remanded to judicial custody on 27.09.2023 for the alleged offence punishable under Sections 457 & 380 of IPC in Crime No.783 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 20.11.2022, the petitioner along with other accused entered into defacto complainant's shop and committed theft of iron rods, weighing more than 50 tons, worth about Rs.5,00,000/-. Hence,the defacto



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complainant preferred a complaint and based on the same, the aforesaid case came to be registered.

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3.The learned counsel for the petitioner submitted that petitioner is innocent and he has not committed any offence as alleged by the prosecution. He further submitted that this case is false one, it is not probable to steal iron rods weighing more than 50 tons quantity. Accordingly, he prayed to allow the petition.

4.The learned Additional Public Prosecutor submitted that the petitioner has 17 previous cases, all over Tamil Nadu and if the petitioner is let out on bail, he will cause threat to the defacto complainant and witnesses and he will commit similar offences and it will be a chance to abscond. Further he submitted that charge sheet is not yet filed. Therefore, he strongly objected to grant bail to the petitioner.

5.Heard on both sides. This Court has perused the materials.

6.Petitioner has 17 previous cases more or less similar to the present case. Petitioner has been arrested on 27.09.2023 only. Investigation has not yet been completed. Considering the date of arrest, stage of investigation, antecedents of the petitioner, this Court is of the view that if bail is granted to the petitioner, at this stage of investigation, the petitioner may commit similar offences and there is every possibility to flee away from the investigation and cause delay the process of investigation and trial. Hence, this Court is not inclined to grant bail to the petitioner.



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Accordingly, this criminal original petition is dismissed.

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/11/2023

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

gns

TO

1 THE INSPECTOR OF POLICE, PAPANASAM POLICE STATION,
THANJAVUR DISTRICT.

2 THE OFFICER INCHARGE, DISTRICT PRISON, THANJAVUR,
THANJAVUR DISTRICT.

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

ORDER IN
CRL OP(MD) No.19296 of 2023
Date :26/10/2023

RS/JGB/SAR-(06.11.2023) 3P 4C
Madurai Bench of Madras High Court is issuing
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