



CRL OP(MD). No.20831 of 2023

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

Date : 21/11/2023

PRESENT

The Hon`ble Mr.Justice V. SIVAGNANAM

CRL OP(MD). No.20831 of 2023

Kanthan

... Petitioner/ Accused No.1

Vs

The State represented by
The Inspector of Police,
Eraniel Police Station,
Kanyakumari District.
(Crime No.150 of 2008).

... Respondent/Complainant

For Petitioner : Mr.M.Prabu,
Advocate.

For Respondent : Mr.R.M.S.Sethuraman,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime no.150 of 2008 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ A1 herein was arrested and remanded to judicial custody on



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14.09.2023 for the alleged offence under Sections 379 r/w.34 of IPC in Crime No.150

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of 2008 on the file of the respondent police seeks bail.

2. Earlier the petitioner was arrested and released on bail. Thereafter the petitioner did not appear before the trial Court on 20.01.2010 , hence Non Bailable Warrant was issued on 20.01.2010. The petitioner was arrested on execution of Non Bailable Warrant on 14.09.2023.

3.The learned counsel for the petitioner would submit that the petitioner is regularly appearing before the trial Court on all hearing dates and due to his ill health he was unable to appear before the trial Court, due to which Non Bailable Warrant came to be issued and the petitioner was remanded to custody pursuant to the execution of Non Bailable Warrant on 14.09.2023.

4. The learned Additional Public Prosecutor opposing the bail petition would submit that the petitioner is absconding for nearly twelve years and with much difficulty the respondent police secured the petitioner. Further, if the petitioner is released on bail, he may abscond again and the entire trial will be stalled. He would further submit that the petitioner is having seven previous cases.



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5. Taking into consideration all the allegations made against the petitioner and also the fact that the petitioner was arrested only after twelve years and also taking into consideration the previous bad antecedents of the petitioner this Court is not inclined to grant bail to the petitioner.

6. Hence the petition stands dismissed.

sd/-
21/11/2023

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

AAV
TO

- 1 THE INSPECTOR OF POLICE
ERANIEL POLICE STATION,
KANYAKUMARI DISTRICT.
- 2 THE OFFICER INCHARGE,
DISTRICT JAIL, NAGERCOIL.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.20831 of 2023
Date :21/11/2023

SS/DD/SAR- /27/11/2023/3P/4C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023