



CRL OP(MD)No.21057 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date : 23.11.2023

PRESENT

The Hon`ble Mr.Justice V. SIVAGNANAM

CRL OP(MD)No.21057 of 2023

Arumugam

... Petitioner/ Accused Rank Not Known

Vs

**The Inspector of Police,
Karambakudi Police Station,
Pudukkottai District.
(Crime No.43 of 2018)**

... Respondent/ Complainant

For Petitioner : Mr.C.Suresh Kannan,Advocate

**For Respondent : Mr.RMS.Sethuraman,
Additional Public Prosecutor**

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

PRAYER :-

For Bail in Crime No.43 of 2018 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 21.02.2022

<https://www.mhc.tn.gov.in/judis>



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for the alleged offence punishable under Sections 120 and 302 IPC in Crime No.43 of 2018, on the file of the respondent police, seeks bail.

2.The case of the prosecution is the deceased was a alcohol addict and he had consumed alcohol daily and he did not accept the advice of the family members. On 03.03.2018 the deceased had committed suicide by hanging. Hence the case.

3.The learned counsel appearing for the petitioner would submit that bail was granted to the petitioner, but, he failed to produce surety and hence, NBW was issued on 03.02.2021 and the same was executed on 21.02.2022. He would further submit that the petitioner will abide by the conditions imposed by this Court and hence, he seeks bail.

4.The learned Additional Public Prosecutor appearing for the respondent Police would submit that petitioner was absconded from 03.02.2021 and he was secured on 21.02.2022 only after execution of NBW. Now the case was posted for examination of witness. If bail was granted to the petitioner, it will affect the progress of trail. Hence, he strongly objected to grant bail to the petitioner.



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5. On perusal of records, it is noticed that the petitioner was nearly absconded for one year and only after execution of NBW, he was secured. Under these circumstances, this Court finds no ground to grant bail. Accordingly, this criminal original petition is dismissed. However, learned Additional District and Sessions Judge/Special Court for E.C. And NDPS Act Cases, Pudukkottai District is directed to dispose the case in S.C.No.116 of 2018, within a period of three months from the date of receipt of a copy of this order.

sd/-
23/11/2023

/ TRUE COPY /

/12/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

GNS
TO

- 1 THE ADDITIONAL DISTRICT AND SESSIONS JUDGE
SPECIAL COURT FOR EC AND NDPS ACT CASES
PUDUKKOTTAI DISTRICT.
- 2 THE INSPECTOR OF POLICE
KARAMBAKUDI POLICE STATION,
PUDUKKOTTAI DISTRICT.
- 3 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



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+1 CC to M/s.C.SURESH KANNAN, Advocate (SR-16900[I] dated 27/11/2023)

ORDER
IN

CRL OP(MD) No.21057 of 2023

Date :23/11/2023

PKP/DD/SAR- /20.12.2023/ 4P/ 6C

Madurai Bench of Madras High Court is issuing certified
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