



CRL OP(MD) No.344 of 2024

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

Wednesday, the Tenth day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.344 of 2024

KENDAI @ GAJENDRAN

... PETITIONER/ ACCUSED 5

Vs

THE INSPECTOR OF POLICE
ARUPPUKOTTAI TOWN POLICE STATION,
IN CRIME NO.271/2022.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.SANKARARAMASUBRAMANIAN.A Advocate

For Respondent : Mr.B.NAMBISELVAN, Govt. Advocate (Crl. Side)

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

PRAYER:- TO ENLARGE THE PETITIONER ON BAIL IN SC NO.236/2023 ON THE FILE OF THE LEARNED ADDITIONAL DISTRICT JUDGE, SRIVILLIPUTHUR, VIRUDHUNAGAR DISTRICT IN CRIME NO.271/2022 ON THE FILE OF THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused, was arrested and remanded to

Judicial Custody on 24.07.2023 for the offence under Sections 147, 148, 302, 149, 114,



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120(B), 404, 201, 34 IPC in Crime No.271 of 2022, charge sheeted in S.C.No.236 of 2023 on the file of the Principal District and Sessions Court, Srivilliputhur, Virudhunagar District, seeks bail.

2.The case of the prosecution is that on 24.11.2022, the defacto complainant's brother and one Sabarimalai went to Aruppukkottai in a two wheeler and subsequently they were found missing. On 25.11.2022, the petitioner along with other accused assaulted the defacto complainant's brother and said Sabarimalai with Aruval, due to which, they died. Hence, the case.

3.The learned counsel appearing for the petitioner submitted due to the illhealth of the petitioner's son, the petitioner is not able to comply with the earlier order passed by this Court in CrI.O.P(MD).No.5617 of 2023, dated 27.03.2023. He further submitted that petitioner is in judicial custody from 24.07.2023 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 CrI.O.P(MD).No.5617 of 2023, dated 27.03.2023 and hence, the cancellation of bail petition filed by the respondent police in CrI.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 vehemently objected to grant bail to the petitioner.



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5. Considering the facts and circumstances of this case and also considering the serious nature of allegations made against the petitioner, he is having seven previous cases at his credit, there is no change in circumstances 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.

6. Accordingly, this Criminal Original Petition is dismissed

sd/-
10/01/2024

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/01/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

INDU
TO
1 THE ADDITIONAL DISTRICT JUDGE,
SRIVILLIPUTHUR, VIRUDHUNAGAR DISTRICT

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

3 THE OFFICER INCHARGE,
DISTRICT JAIL, VIRUDHUNAGAR DISTRICT.

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



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ORDER
IN
CRL OP(MD) No.344 of 2024
Date :10/01/2024

SA/DD/SAR. /29.01.2024/4P/5C

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