



CRL OP(MD) No.287 of 2024

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

Tuesday, the Ninth day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.287 of 2024

DURAI @ DURAISAMY

... PETITIONER / ACCUSED No.2

Vs

**THE INSPECTOR OF POLICE
VENGAMEDU POLICE STATION,
KARUR DISTRICT.
CRIME NO.47 OF 2012.**

... RESPONDENT/ COMPLAINANT

For Petitioner : MR.K.SUYAMBULINGABHARATHI, Advocate

**For Respondent : MR.B.NAMBISELVAN,
Additional Public Prosecutor**

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

Prayer:

**TO ENLARGE THE PETITIONER/ACCUSED ON BAIL IN CONNECTION
WITH PRC.NO.44 OF 2018 ON THE FILE OF THE LEARNED JUDICIAL
MAGISTRATE NO.I,KARUR IN CR.NO.47 OF 2012 ON THE FILE OF THE
RESPONDENT POLICE.**

ORDER : The Court Made the following order :-

This petition is filed to enlarge the petitioner/A2 on bail in connection with

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



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P.R.C.No.44 of 2018 on the file of the learned Judicial Magistrate No.I, Karur, in Crime No.47 of 2012, which was registered for the offence punishable offences under Sections under Sections 399 of IPC r/w 25(1)(B)(a), 27 of Arms Act, on the file of the respondent police.

2.The case of the prosecution is that the on 03.02.2012, at about 02.00 p.m, when the respondent police and the complainant were in patrol duty near Annapoorna Hotel at Salem to Karur Bye-pass, they intercepted a TATA SUMO VICTA Silver Colour Car bearing Reg.No.TN-60-C-5821 and found deadly weapons including a country made gun without any license. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution. He would further submit that this is the second bail petition. Earlier petition filed by the petitioner in CrI.OP(MD)No.22626 of 2023 was dismissed by this Court on 15.12.2023 on the ground that 69 criminal cases are pending against the petitioner. Among them, 49 cases are ended in acquittal and only 20 cases are pending against him and all 20 cases are put up cases. He would further submit that the the petitioner is in judicial custody from 01.06.2023. Hence, he prays for grant of bail to the petitioner.

4.The learned Additional Public Prosecutor for the State would submit that the petitioner is a History Sheeted. Apart from that, 69 previous cases are pending



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against him. If he is enlarged on bail, there will no progress in the trial process and the other cases also cannot be completed. Hence, he vehemently, opposed to grant bail to the petitioner.

5.Heard the learned counsel on either side and perused the material records of the case.

6.Considering the above facts and circumstances of the case and also considering the fact that there is no change of circumstance, this Court is not inclined to grant bail to the petitioner.

7.Accordingly, this Criminal Original Petition is dismissed.

8.The Judicial Magistrate No.I, Karur, is directed to complete the trial in P.R.C.No.44 of 2018 within a period of six months from the date of receipt of a copy of this order.

sd/-
09/01/2024

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

DSS



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TO

- 1 THE JUDICIAL MAGISTRATE NO.I,KARUR.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE, KARUR DISTRICT.
- 3 THE INSPECTOR OF POLICE
VENGAMEDU POLICE STATION,KARUR DISTRICT.
- 4 THE SUPERINTENDENT, CENTRAL PRISON,MADURAI.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN

CRL OP(MD) No.287 of 2024

Date :09/01/2024

PKP/VR/SAR- /19.01.2024/ 4P/ 6C

Madurai Bench of Madras High Court is issuing certified
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