



CRL OP(MD) No.831 of 2024

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

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

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.831 of 2024

KUMAR @ KODEESWARAN @ KODEESWARAMUTHU,
... PETITIONER / ACCUSED 5

Vs

THE INSPECTOR OF POLICE
VACHAKARAPATTI POLICE STATION,
VIRUDHUNGAR DISTRICT.
(IN CRIME NO.301 OF 2016) ... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.MOHAMMED FAROOK.H Advocate

For Respondent : Mr.B.NAMBISELVAN, Additional Public Prosecutor

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

PRAYER:- TO ENLARGE THE PETITIONER ON BAIL IN CONNECTION WITH
THE P.R.C.NO.04/2017 ON THE FILE OF THE LEARNED JUDICIAL MAGISTRATE
NO.II, VIRUDHUNAGAR

ORDER : The Court Made the following order :-

The petitioner/Accused, who was arrested and remanded to judicial custody

on 28.07.2023 based on the NBW issued against him on 07.04.2021 for the alleged
<https://www.mhc.tn.gov.in/judis>



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offences under Section 397 of IPC in Crime No.301 of 2016 on the file of the
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respondent Police, seek bail.

2. The case of the prosecution is that the petitioner and other accused persons robbed Rs.1,300/- from the pocket of the defacto complainant and they assaulted the defacto complainant. Hence, the complaint. The respondent Police registered the case in the year 2016 and the case has been taken on file as P.R.C.No.4 of 2017 before the learned Judicial Magistrate No.II, Virudhunagar, as against the petitioner. Since the petitioner absconded, the learned Judicial Magistrate issued Non Bailable Warrant as against the petitioner for his non-appearance on 07.04.2021 and thereby, he has been arrested on execution of NBW and remanded to judicial custody on 28.07.2023. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner did not commit in any such allegations levelled in the F.I.R and he is no way connected with the alleged occurrence. Hence, he prays to grant bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that if the petitioner is released on bail, he would abscond again and stall the case proceedings. Further he would submit that 13 previous cases are pending against the petitioner, hence, he strongly opposed to grant bail to the



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petitioner.

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5. Heard. Perused the materials available on record including the First Information Report.

6. Considering the facts and circumstances of this case and also considering the previous antecedents of the petitioner, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

sd/-

29/01/2024

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/02/2024

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

INDU

TO

1 THE JUDICIAL MAGISTRATE NO.II, VIRUDHUNAGAR

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3 THE SUPERINTENDENT,
CENTRAL JAIL, MADURAI.

4 THE INSPECTOR OF POLICE
VACHAKARAPATTI POLICE STATION,
VIRUDHUNGAR DISTRICT.

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



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ORDER
IN
CRL OP(MD) No.831 of 2024
Date :29/01/2024

SA/JGB/SAR. /05.02.2024/4P/6C

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