



CRL OP(MD) No.862 of 2024

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

Monday, the Fifth day of February Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.862 of 2024

VEMBUSUDALAI

... PETITIONER / SOLE ACCUSED

Vs

THE INSPECTOR OF POLICE
AMBASAMUDRAM POLICE STATION,
TIRUNELVELI.
(IN CRIME NO.397/2023)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.SRINIVASAN.R Advocate

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

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

PRAYER:

FOR BAIL IN CRIME NO.397 OF 2023 ON THE FILE OF THE RESPONDENT
POLICE.

ORDER : The Court Made the following order :-

The petitioner who was arrested and remanded to judicial custody for the
offences under Sections 294(b), 307, 387 and 506(ii), in Crime No.397 of 2023, seeks
bail.



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2.The case of the prosecution is that on 22.12.2023, when the defacto complainant and his friends were standing near by the TASMACH Shop, the accused tried to take money from the defacto complainant's shirt pocket and the same was resisted by the defacto complainant, at that time, the accused tried to stab him using knife and the defacto complainant escaped from that attempt. After that, the accused robbed Rs.500/- from the defacto complainant. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution and the petitioner is falsely implicated in this case. Further he would submit that the earlier bail petition filed by the petitioner was dismissed by the concerned trial Court, considering the bad antecedent of the petitioner. Further, Hence, he prays to grant bail to the petitioner.

4.The learned Additional Public Prosecutor would submit that the petitioner is a history sheeted person. Further, while granting bail in a murder case pending against him, a condition was imposed to report before the Thallakulam Police Station, Madurai, but he has not complied the condition, for which, the Police officials filed a petition for cancellation of bail granted to the petitioner and subsequently, he was arrested. Further, apart from this case, four previous cases are



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pending against the petitioner, among which, one is under Section 302 IPC. Hence, he vehemently opposed to grant bail to the petitioner.

5. Considering the facts and circumstances of the case and also considering the fact that apart from this case, four previous cases are pending against the petitioner and he is a history sheeted person, I am not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

sd/-

05/02/2024

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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 INSPECTOR OF POLICE
AMBASAMUDRAM POLICE STATION,
TIRUNELVELI.
- 2 THE SUPERINTENDENT,
PALAYAMKOTTAI JAIL, TIRUNELVELI DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.



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+1 CC TO M/S.SRINIVASAN.R Advocate IN SR No.3405 DATED 06/02/2024

ORDER
IN
CRL OP(MD) No.862 of 2024
Date :05/02/2024

SS/GS/SAR- /08/02/2024/4P/5C

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