



CRL OP(MD) No.1789 of 2024

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

Tuesday, the Sixth day of February Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.1789 of 2024

NANDHAKUMAR

... PETITIONER/ACCUSED NO.6

Vs

THE INSPECTOR OF POLICE
KUNDRAKUDI POLICE STATION,
SIVAGANGAI DISTRICT.
CR.NO.158/2023

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.R.BALAMURUGANANTHAM, Advocate

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

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

PRAYER : FOR BAIL IN CRIME NO.158/2023 ON THE FILE OF THE
RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner / Accused No.6, who was arrested and remanded to judicial custody on 01.12.2023 for the offences punishable under Section 364(A) IPC @ Sections 395, 364(A) IPC @ 395, 364(A), 120(B) of IPC, in Crime No.158 of 2023, on the file of the respondent police, seeks bail.



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2. The case of the prosecution is that on 17.11.2023 at about 12.30 p.m., the petitioner along with other accused alleged to have entered into criminal conspiracy and in pursuance of conspiracy, they have kidnapped the defacto complainant along with his car and cash of Rs.45,00,000. Hence, the present complaint has been registered.

3. The learned counsel appearing for the petitioner would submit that the petitioner did not commit any such offences as alleged by the prosecution. There is no specific allegation made against this petitioner and he is in prison for more than 60 days. Hence, he prays for grant bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that though no previous case is pending against the petitioner, the allegation made against the petitioner is that the petitioner along with other accused kidnapped the defacto complainant along with a sum of Rs.45,00,000/-. Hence, he vehemently opposed to grant bail to the petitioner.

5. It appears that this is the second application for bail and the earlier bail application filed by the petitioner in Crl.OP(MD)No.113 of 2024 was dismissed by this Court on 05.01.2024 on the ground that the amount involved in this case is not yet recovered. Now, this application is filed by the petitioner without referring the change of circumstances to consider the case.



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

7. In the result, this Criminal Original Petition is dismissed.

sd/-
06/02/2024

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/02/2024
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG

TO

1 THE INSPECTOR OF POLICE, KUNDRAKUDI POLICE STATION,
SIVAGANGAI DISTRICT.

2 THE OFFICER INCHARGE, DISTRICT PRISON, RAMNAD JAIL,
RAMNAD DISTRICT.

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

ORDER
IN

CRL OP(MD) No.1789 of 2024
Date :06/02/2024

RS/JGB/SAR-(09.02.2024) 3P 4C
Madurai Bench of Madras High Court is issuing
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