



CRL OP(MD) No.1444 of 2024

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

Wednesday, the Thirty First day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.1444 of 2024

VANIKARUPPU

... Petitioner / Accused No.2

Vs

THE INSPECTOR OF POLICE
SIPCOT POLICE STATION,
SIVAGANGAI DISTRICT,
(CRIME NO.49/2017)

... Respondent / Complainant

For Petitioner : M/s.B.Arun, Advocate

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

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

PRAYER : TO ENLARGE THE PETITIONERS ON BAIL IN THE EVENT OF THEIR ARREST IN CONNECTION WITH SC.NO.154/2017 ON THE FILE OF THE ADDITIONAL DISTRICT AND SESSIONS JUDGE, SIVAGANGAI IN CRIME NO.49/2017 ON THE FILE OF THE RESPONDENT POLICE

ORDER : The Court Made the following order :-

The petitioner/ Accused, who was arrested and remanded to judicial custody on 03.09.2023 on execution of Non Bailable Warrant issued by the concerned trial



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Court for the alleged offences under Sections 392,397, 506(ii) IPC in Crime No.49 of 2017 on the file of the respondent Police, seek bail.

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2. The case of the prosecution is that on 20.12.2017 when the defacto complainant was coming to Sivagangai in his two wheeler, the petitioner and others restrained and threatened him showing sickle and snatched Rs.850/- from the defacto complainant. On the complaint given by the defacto complainant, the case was registered in Crime No.49 of 2017 by the respondent Police and the petitioner was arrested and remanded to judicial custody. Thereafter, he enlarged on bail and subsequently the Law Enforcing Authority, after completing the investigation, a Charge Sheet was filed before the Additional District and Sessions Judge, Sivagangai. Due to non-appearance of the petitioner on 02.12.2021, the trial Court issued non-bailable warrant on the same day, pursuant to which, the petitioner was arrested and remanded to judicial custody on 03.09.2023.

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. He would further submit that the petitioner co-operated with the trial proceedings in all hearings and due to non-appearance on 02.12.2021, Non bailable warrant was issued against the petitioner on 02.12.2021. So, he was arrested and remanded to judicial custody on 03.09.2023.



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Hence, he prays for bail.

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4. The learned Additional Public Prosecutor appearing for the respondent would submit that nineteen cases are pending against the petitioner, which are similar in nature. If he is released on bail, he may abscond and there will be no progress in the trial. Hence, he vehemently objected to grant bail to the petitioner.

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/-
31/01/2024

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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 Inspector of Police,
SIPCOT Police Station,
Sivagangai District.



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2.The Superintendent,
Central Prison,
Madurai.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.1444 of 2024
Date :31/01/2024

ED/ JGB /SAR- (06/02/2024) 4P / 4C

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