



CRL OP(MD) No.1575 of 2024

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

Friday, the Second day of February Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.1575 of 2024

SUNDARAM @ SAMY

... PETITIONER / ACCUSED No.2

Vs

THE INSPECTOR OF POLICE
KUNDRAKUDI POLICE STATION,
SIVAGANGAI DISTRICT.
(CRIME NO.158/2023).

... RESPONDENT / COMPLAINANT

For Petitioner : M/S. BALAMURUGAN.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.158 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 on
02.12.2023 for the offence punishable under Sections 364(A) IPC @ 395, 364(A) IPC @
395, 364(A), 120(b) IPC in Crime No.158 of 2023, seeks bail.



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2. The case of the prosecution is that the petitioner conspired with other accused persons and kidnapped the defacto complainant and committed decoity of Rs.45,00,000/-. Hence, this complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent and on the basis of the confession statement of the 1st accused, this petitioner has been implicated in this case, but he did not involved in such activities. The petitioner is no way connected with the real estate business and he is serving as Priest in a Temple. The amount of Rs.27,50,000/- was recovered from the petitioner and the balance amount of Rs.17,50,000/- has to be recovered from the other accused persons. The petitioner is in judicial custody for more than 60 days. Hence, he prays to grant bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that out of Rs.45,00,000/-, Rs.27,50,000/- was recovered from this petitioner and the balance amount was not recovered. This is the third anticipatory bail application and the earlier applications were dismissed by this Court considering the fact that the balance amount was not recovered. Hence, he vehemently opposed to grant bail to the petitioner.

5. Considering the facts and circumstance of this case and also considering the fact that only Rs.27,50,000/- was recovered from the petitioner and the balance



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amount of Rs.17,50,000/- was not recovered, I am not inclined to grant bail to the

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petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

sd/-
02/02/2024

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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
KUNDRAKUDI POLICE STATION,
SIVAGANGAI DISTRICT.
- 2 THE OFFICER INCHARGE,
DISTRICT PRISON, RAMANATHAPURAM.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.1575 of 2024
Date :02/02/2024

SS/GS/SAR- /07/02/2024/3P/4C

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