



CRL OP(MD). No.3076 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28/02/2024

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.3076 of 2024

Nandhagopal

... Petitioner/ Accused No.4

Vs

The Inspector of Police,
Sivagangai Taluk Police Station,
Sivagangai District.
Cr.No.262/2022.

... Respondent/Complainant

For Petitioner : Mr.M.Jegadeesh Pandian, Advocate.

For Respondent : Mr.R.Suresh Kumar, Government Advocate (Crl.Side)

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

PRAYER :-

To release the Petitioner Accused No.4 on bail in PRC No.14/2022 on the file of Learned Judicial Magistrate No.II Sivagangai and thus render justice.

ORDER : The Court made the following order :-

The petitioner/A4, who was arrested and remanded to judicial custody on 29.12.2022 for the offence under section 302 IPC altered into Sections altered into 147, 148, 448, 342 and 302 IPC in Crime No.262 of 2022 on the file of the respondent police seeks bail.



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2.The case of the prosecution is that on 01.11.2022 at about 12.30 a.m., due to previous enmity, the petitioner along with other accused unlawfully assembled with deadly weapons, trespassed into the house of the deceased, wrongly confined the deceased and caused murder to him. Hence the case.

3.It is seen that there are totally 12 accused in this case and the petitioner is arrayed as A4. The petitioner already involved in eight previous cases, in which, 4 cases registered for the offence under Section 302 IPC. Though the respondent completed investigation and filed final report, if the petitioner is let out on bail, he will again involve in similar offence, since he is an hireling.

4. Considering the gravity of offence and also considering that the petitioner is a habitual offender, this Court dismissed the earlier applications filed by the petitioner.

5.The learned counsel on either side would submit that now charge sheet has been filed before the learned Judicial Magistrate NO.II, Sivagangai, and the same was taken cognizance in P.R.C.No.14 of 2022.

6.Considering the duration of the custody of the petitioner, let the committal process be completed by the learned Judicial Magistrate, immediately. Thereafter, the trial Court shall expedite the trial process in this case and dispose of the same within a period of six months.



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7. Accordingly, this criminal original petition is dismissed with the above said
directions.

sd/-
28/02/2024

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/03/2024

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

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TO

- 1 THE JUDICIAL MAGISTRATE NO.II, SIVAGANGAI .
- 2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI DISTRICT.
- 3 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.
- 4 THE INSPECTOR OF POLICE, SIVAGANGAI TALUK POLICE STATION,
SIVAGANGAI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN
CRL OP(MD) No.3076 of 2024
Date :28/02/2024

RS/VR/SAR-(05.03.2024) 3P 6C
Madurai Bench of Madras High Court is issuing
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