



CRL OP(MD) No.3774 of 2024

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

Friday, the Eighth day of March Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.3774 of 2024

KUMAR @ KODEESWARAN @

KODEESWARAMUTHU

... Petitioner / Accused No.5

Vs

THE INSPECTOR OF POLICE  
VACHAKARAPATTI POLICE STATION,  
VIRUDHUNAGAR DISTRICT.  
(CRIME NO. 301 OF 2016)

... Respondent / Complainant

For Petitioner : M/s.H.Mohammed Farook, Advocate

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

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

PRAYER : TO ENLARGE THE PETITIONER ON BAIL IN CONNECTION WITH  
THE PRC NO. 04 OF 2017 ON THE FILE OF THE LEARNED JUDICIAL  
MAGISTRATE NO.II, VIRUDHUNAGAR DISTRICT.

ORDER : The Court Made the following order :-

The petitioner/A5, who is facing trial for the offences under Section 397 of  
IPC, in P.R.C.No.04 of 2017 on the file of the learned Judicial Magistrate No.II,



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seeks bail.

Virudhunagar District, in Crime No.301 of 2016 on the file of the respondent Police,

2. The case of the prosecution is that the petitioner and other accused persons robbed Rs.1,300/- from the pocket of the defacto complainant and they assaulted the defacto complainant. Hence, the complaint. The respondent Police registered the case in the year 2016 and the case has been taken on file as P.R.C.No.4 of 2017 before the learned Judicial Magistrate No.II, Virudhunagar, as against the petitioner. Since the petitioner absconded, the learned Judicial Magistrate issued Non Bailable Warrant as against the petitioner for his non-appearance on 07.04.2021 and thereby, he has been arrested on execution of NBW and remanded to judicial custody on 28.07.2023. Hence, the complaint.

3.Heard the learned counsel on either side and perused the material records of the case.

4.It appears that this is the second application for bail and the earlier bail application filed by the petitioner in CrI.OP(MD)No.831 of 2024 was dismissed by this Court on 29.01.2024 on the ground that the petitioner has 13 previous cases. Now, this application is filed by the petitioner without referring the change of circumstances to consider the case.

5.Considering the above facts and circumstances of the case and also



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considering the fact that there is no change in circumstances, since the dismissal of the earlier petition, this Court is not inclined to grant bail to the petitioner.

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

sd/-  
08/03/2024

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/03/2024  
Sub-Assistant Registrar  
(C.S. I / II / III /IV)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

SJI

To

1.The Judicial Magistrate No.II,  
Virudhunagar.

2.Do through the Chief Judicial Magistrate,  
Virudhunagar District at Srivilliputhur.

3.The Inspector of Police,  
Vachakarapatti Police Station,  
Virudhunagar District.

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

ORDER  
IN  
CRL OP(MD) No.3774 of 2024  
Date :08/03/2024



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ED/ GS /SAR- (14/03/2024) 4P / 5C

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