



CRL OP(MD) No.4155 of 2024

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

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

PRESENT
The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.4155 of 2024

NALLASAMY @ NALLUSAMY ... PETITIONER/ ACCUSED NO.1

Vs

THE INSPECTOR OF POLICE
MANAMADURAI POLICE STATION,
SIVAGANGAI DISTRICT.
CR.NO.590/2023

... RESPONDENT/COMPLAINANT

For Petitioner : MR. K.SATHISH KUMAR Advocate

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

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

PRAYER: FOR BAIL IN CRIME NO. 590/2023 ON THE FILE OF THE
RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner/A1, who was arrested and remanded to judicial custody on
19.01.2024 for the offence punishable under Sections 341, 387 and 506(ii) IPC in Crime
No.590 of 2023 on the file of the respondent police, seeks bail.



CRL OP(MD) No.4155 of 2024

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2.The case of the prosecution is that on 23.12.2023, when the defacto complainant was proceeding near Kirungakottai Bus stop, the accused persons came there in a two wheeler and waylaid the defacto complainant and demanded money from her. When she refused to give, the accused persons threatened the defacto complainant by showing knife and grabbed a sum of Rs.1,000/- from her and thereafter, they escaped from the scene of occurrence. Hence, the case.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. The learned counsel would further submit that the defacto complainant has filed an affidavit of undertaking stating that she has not given any complaint against the petitioner and no occurrence took place as alleged by the prosecution and she has no objection to grant bail to the petitioner. He would further submit that the petitioner is in judicial custody from 19.01.2024. Hence, he prays for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent Police would submit that 14 previous cases are pending against the petitioner, out of

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CRL OP(MD) No.4155 of 2024

which, five cases are murder cases.

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5. Though the defacto complainant has filed an affidavit of undertaking that she has not given any complaint against the petitioner and no occurrence took place as alleged by the prosecution, a suspicion would arise that the petitioner may have threatened the defacto complainant to withdraw the complaint and therefore, the affidavit of undertaking filed by the defacto complainant cannot be accepted by this Court. Moreover, the petitioner is having 16 previous cases, out of which, five cases are murder cases. Considering the facts and circumstances of the case and the previous antecedents of the petitioner, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

sd/-

15/03/2024

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/03/2024

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

SSB

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CRL OP(MD) No.4155 of 2024

TO
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- 1.THE INSPECTOR OF POLICE
MANAMADURAI POLICE STATION,
SIVAGANGAI DISTRICT.
- 2.THE OFFICER IN CHARGE,
DISTRICT PRISON, RAMANATHAPURAM.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.4155 of 2024
Date :15/03/2024

RK/GS (21/03/2024) 4P / 4C
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