



CRL OP(MD) No.4603 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Friday, the Twenty Second day of March Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.4603 of 2024

SIVA @ JEEVANANDHAM

... PETITIONER / ACCUSED No.2

Vs

THE INSPECTOR OF POLICE
PUDUKOTTAI POLICE STATION,
PUDUKKOTTAI.
CRIME NO. 30 OF 2022

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.D.PADMANABHAN, Advocate
For Respondent : Mr.B.NAMBISELVAN, Additional Public Prosecutor

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

PRAYER:

FOR BAIL IN CRIME NO. 30 OF 2022 ON THE FILE OF THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner / Accused No.2, who is facing trial for the alleged offence under Sections 376(D), 302 and 34 of I.P.C in S.C.No.50 of 2022 on the file of the learned Principal District Sessions Judge / Mahila Court, Pudukottai, in Crime No.30 of 2022, on the file of the respondent Police, seeks bail.



CRL OP(MD) No.4603 of 2024

WEB COPY

2. The case of the prosecution is that the accused had committed rape of one Nagarethinam, aged about 65 years. Hence the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he did not commit any offence as alleged by the prosecution. The learned counsel appearing for the petitioner would further submit that the petitioner is ready to abide by any conditions imposed by this Court. He would further submit that the petitioner is in judicial custody for more than 773 days and hence, he prayed for bail.

4. The learned Additional Public Prosecutor appearing for the respondent Police would submit that the petitioner is a habitual offender and 27 previous cases are pending against the petitioner. He would further submit that if the petitioner is released on bail, there will be no progress in the trial. An earlier bail application filed by the petitioner was dismissed by this Court in Crl.O.P(MD) No.21702 of 2023, vide order dated 03.01.2024. Hence, he vehemently opposed for grant of bail.

5. Considering the facts and circumstances of the case and also considering the gravity of the offence and there is no change in circumstances to allow the present bail petition, this Court is not inclined to grant bail to the petitioner herein.



CRL OP(MD) No.4603 of 2024

6. In view of the above, the Criminal Original Petition stands dismissed.

WEB COPY

sd/-
22/03/2024

/ TRUE COPY /

/04/2024

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
PUDUKOTTAI POLICE STATION, PUDUKKOTTAI.
- 2 THE OFFICER INCHARGE,
SUB JAIL, PUDUKOTTAI.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN

CRL OP(MD) No.4603 of 2024
Date :22/03/2024

SS/VR/SAR- /16/04/2024/3P/4C

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