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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23.04.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD).Nos.6164 and 6165 of 2024

Mohammed Faarith

... Petitioner/ Accused No.1 in both Crl.O.Ps.

Versus

State Rep. by

The Inspector of Police,
Kumbakonam East Police Station,
Thanjavur District.

(Crime No. 501 of 2023)

... Respondent/Complainant

in CRL OP(MD)No. 6164 of 2024

State Rep. by

The Inspector of Police,
Kumbakonam West Police Station,
Thanjavur District.

(Crime No. 459 OF 2023)

... Respondent/Complainant

in CRL OP(MD)No. 6165 of 2024

For Petitioner
in both Crl.O.Ps.

: Mr.K.A.S.Prabhu,
Advocate.

For Respondent
in both Crl.O.Ps.

: Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor



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

PRAYER :-

For Bail in Crime Nos.501 and 459 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner was arrested by the respondent Police and remanded into the judicial custody on 23.12.2023 in connection with a case in Crime No.501 of 2023 for the offence under Section 392 IPC. Subsequently, he was arrested on 02.01.2024 in connection with a case in Crime No.459 of 2023 for the offence under Section 392 IPC. Hence, he filed these Criminal Original Petitions seeking bail.

2. The case of the prosecution is that the petitioner along with other accused has snatched away the gold chains of the defacto complainants.

3. The learned counsel for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. However, he is languishing in jail from 23.12.2023.

4. The learned Additional Public Prosecutor appearing for the respondent opposed for grant of bail on the ground that apart from these two cases, the petitioner has involved in four cases of similar in nature. He further submits that in Crime No.501 of 2023, trial has already commenced, nine witnesses have already been



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examined and four more witnesses have to be examined.

5. Considering the nature of offence and also considering the antecedent of the petitioner, this Court is not inclined to grant bail to the petitioner. The petitioner can establish his innocence before the trial Court.

6. Accordingly, these Criminal Original Petitions are dismissed. The learned Judicial Magistrate No.I, Kumbakonam, shall proceed with the trial in C.C.No.66 of 2024 and conclude the same as expeditiously as possible preferably within a period of three months from the date of receipt of a copy of this order.

sd/-
23/04/2024

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/04/2024
Sub-Assistant Registrar
(C.S.I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

OGY
TO

1 THE JUDICIAL MAGISTRATE NO.I
KUMBAKONAM.

2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT @ KUMBAKONAM.

3 THE INSPECTOR OF POLICE
KUMBAKONAM EAST POLICE STATION,
THANJAVUR DISTRICT.

<https://www.mhc.tn.gov.in/judis>



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- 4 THE INSPECTOR OF POLICE
KUMBAKONAM WEST POLICE STATION,
THANJAVUR DISTRICT
- 5 THE OFFICER INCHARGE
SUB JAIL, KUMBAKONAM.
- 6 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+2 CC to M/s.K.A.S.PRABHU, Advocate (SR-4710[I] & 4711 (I)dated 23/04/2024)

ORDER
IN
CRL OP(MD).Nos.6164 and 6165 of 2024
Date :23/04/2024

PKP/GS/SAR /26.04.2024/ 4P/ 9C

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