



CRL OP(MD). No.6842 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10/06/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

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Poorna Ananth

... Petitioner/ Accused 1

Vs

The Inspector of Police,
Cheranmahadevi Police Station,
Tirunelveli District.
(Crime No.189/2014).

... Respondent/ Complainant

For Petitioner : Mr.V.Kathirvelu, Senior Counsel
for Mr.K. Prabhu, Advocate

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

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

PRAYER :- To grant Bail for the Petitioner/ Accused No.1 in SC No.117/2023 on the file of the Learned IVth Additional District and Sessions Judge, Tirunelveli, Tirunelveli District.

ORDER : The Court made the following order :-

The petitioner, who was arrested and remanded to judicial custody on

30.09.2023 pursuant to the execution of NBW issued by the learned IV Additional
<https://www.mhc.tn.gov.in/judis>



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District and Sessions Judge, Tirunelveli in S.C.No.117 of 2023, concerned in Crime No.189 of 2014 on the file of the respondent police, registered for the offences punishable under Sections 147, 148, 120(B) IPC and Section 3(1) of TNPPDL Act & Section 25(A) of Arms Act, seeks bail.

2.The case of prosecution is that on 10.11.2014, the accused persons were found armed with aruval and they have also damaged two street lights. Hence, the complaint.

3.The learned Senior counsel for the petitioner submitted that the petitioner is an innocent person. He has not committed any offence. He is arrayed as A1. The allegation as against the petitioner is that he was found in possession of weapon and also caused damages to the public property to the tune of Rs.100/-. In this case, except the offence under the provisions of TNPPDL Act and Arms Act, all other offences are bailable in nature. After released on bail, he has complied with the condition regularly. The petitioner's mother has received the summon in this case. Since, she did not inform the same to the petitioner, he could not appear for hearing on 23.06.2023. Hence, NBW has been issued against him for his non-appearance on 23.06.2023 and he has been remanded to judicial custody on 30.09.2023 and hence, prays to release him on bail.

4. The learned Additional Public Prosecutor submitted that the petitioner



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is a habitual offender. He is a history sheeted person. He is having 36 criminal cases to his credit, out of which, 3 cases were registered for the offence under Section 302 IPC, 6 cases were registered for the offence under Section 307 IPC and the remaining cases include the offence under the POCSO Act, NDPS Act, TNP Act and IPC Offence. Since the petitioner has evaded the trial, NBW has been issued against him. While he was in custody in another case, he was secured by the respondent Police on 30.09.2023. If he is released on bail, he may either evade the trial or indulge in further offence and he may cause endanger to the Society. Hence, prays to dismiss the petition.

5.This Court considered the submissions put forth by both sides.

6.On considering the nature of offence, conduct of the petitioner and antecedents of the petitioner, this Court is not inclined to enlarge the petitioner on bail. The learned IV Additional District and Sessions Judge, Tirunelveli is directed to conclude the trial in S.C.No.117 of 2023 as expeditiously as possible. The learned Additional Public Prosecutor is directed to file a copy of this order before the concerned Courts, where the cases are pending against the petitioner and instruct the concerned Police to extend their co-operation to conclude the trial in all the cases pending against the petitioner as expeditiously as possible.



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7. With the above directions, this petition stands dismissed.

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sd/-
10/06/2024

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/06/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNM
TO

1 THE IV ADDITIONAL DISTRICT AND SESSIONS JUDGE,
TIRUNELVEL, TIRUNELVELI DISTRICT.

2 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

3 THE INSPECTOR OF POLICE,
CHERANMAHADEVI POLICE STATION, TIRUNELVELI DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN
CRL OP(MD) No.6842 of 2024
Date :10/06/2024

SA/VR/SAR. /26.06.2024/4P/5C

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