



CRL OP(MD).No.7895 of 2024

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

Date : 05.06.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD).No.7895 of 2024

Mani Ayyappan

... Petitioner / Accused No.2

Versus

The State Rep. by  
The Inspector of Police,  
Sipcot Police Station,  
Sivagangai District.  
(Crime No.71 of 2019)

... Respondent / Complainant

For Petitioner : Mr.R.L.Dhilipan Pandian, Advocate

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

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

PRAYER :-

For Bail in S.C.No.128 of 2022 on the file of the learned Principal District Judge,  
Sivagangai, Sivagangai District.

ORDER : The Court made the following order :-

The respondent police registered a case as against this petitioner in Crime  
No.71 of 2019 for the offence under Sections 147, 148, 120(b) and 302 IPC. In this



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case, charge sheet has been filed and the same was taken on file in S.C.No.128 of 2022 before the learned Principal District Judge, Sivagangai. The petitioner has failed to appear before the Court for the hearing. Therefore, the trial Court has issued a Non-bailable Warrant on 19.06.2023, based on which, he was arrested on 30.01.2024. Therefore, he has filed this petition seeking bail.

2. The learned counsel appearing 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 has been falsely implicated in this case. He further submits that due to his non-appearance, NBW was issued, based on which, the petitioner has been arrested on 30.01.2024. According to him, the non-appearance of the petitioner is neither willful nor wanton. He further submits that the petitioner undertakes that he will co-operate for trial. Therefore, he prays for grant of bail to the petitioner.

3. The learned Additional Public Prosecutor opposes for grant of bail stating that the petitioner was earlier granted bail in this case and thereafter, he has been absconding. Based on the Non-Bailable Warrant issued by the trial Court, he was secured. He further submits that the petitioner is having 15 previous cases.

4. Considering the nature of offence and also considering the antecedent of the petitioner, this Court is not inclined to grant bail to the petitioner.



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5. Accordingly, the Criminal Original Petition is dismissed.

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

OGY

To

1.The Inspector of Police,  
Sipcot Police Station,  
Sivagangai District.

2.The Officer Incharge,  
Virudhunagar District Prison,  
Virudhunagar District.

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

ORDER  
IN  
CRL OP(MD) No.7895 of 2024  
Date :05/06/2024

ED/ JGB /SAR- (20/06/2024) 3P / 4C

Madurai Bench of Madras High Court is issuing certified copies in this format from  
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