



CRL OP(MD).No.7901 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.7901 of 2024

M.Ponkumar

... Petitioner/ Accused No.4

Versus

The Inspector of Police,
Subramaniyapuram Police Station,
Madurai District.
(Crime No.479 of 2021)

... Respondent/Respondent

For Petitioner : Mr.K.Dinesh, 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 Crime No.479 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The respondent police registered a case as against the petitioner in Crime No.479 of 2021 for the offence under Section 379 IPC altered into Sections 379, 413 and 34 IPC. In this case, final report was filed and the same was taken on file in PRC

No.52 of 2023. Since the petitioner failed to appear before the Court for hearing,
<https://www.hmc.tn.gov.in/judis>



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NBW was issued on 12.04.2023, based on which, he was arrested and remanded to judicial custody on 08.05.2024. Therefore, the petitioner has filed this petition seeking bail.

2. The case of the prosecution is that the accused persons have committed theft of the defacto complainant's bike. Hence, the case.

3. 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 08.05.2024. 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.

4. The learned Additional Public Prosecutor opposes for grant of bail stating that the petitioner was earlier granted bail in this case and thereafter, he absconded. Based on the Non-Bailable Warrant issued by the trial Court, he was secured. He further submits that the petitioner is having 12 previous cases.

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.



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6. 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, SUBRAMANIYAPURAM POLICE STATION,
MADURAI DISTRICT.

2 THE OFFICER INCHARGE, DISTRICT JAIL, DINDIGUL.

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

ORDER IN
CRL OP(MD) No.7901 of 2024
Date :05/06/2024

RS/GS/SAR-(21.06.2024) 3P 4C
Madurai Bench of Madras High Court is issuing
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