



CRL OP(MD). No.15560 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 13/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.15560 of 2024

Balakrishnan,

... Petitioner/Sole Accused

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Pappakudi Police Station,
Tenkasi District.
(Cr.No.187 of 2024).

... Respondent/Complainant

For Petitioner : Mr.D.Venkatachalam,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- To enlarge he petitioner on bail in PRC No. 26 of 2024 on the file of Judicial Magistrate Aalankulam in connection with Cr.No.187 of 202 on the file of the respondent police.



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ORDER: The Court made the following order :-

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The petitioner/Sole Accused, who is facing a case for the offence under Sections 294(b), 307 and 506(2) of IPC, in PRC No. 26 of 2024 on the file of Judicial Magistrate Aalankulam, in Cr.No.187 of 202 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the defacto complainant and his wife were standing near a bus stop, the petitioner came there and abused the defacto complainant in filthy language and tried to hack the defacto complainant with the sickle. Hence, the complaint.

3.Heard both sides.

4. The learned counsel for the petitioner submits that the investigation has already been completed. Though bail is the rule and jail is an exception, in this case, it would certainly fall within the case of exception.

5.The petitioner has got 54 previous cases. Out of which, 22 cases are pending against him. In the pending cases, there are cases under the NDPS Act, & Sections 307 IPC, 323 IPC, 387 IPC and 379 IPC. Therefore, when the courts have been imposing condition on the petitioner including non involvement in any of similar offense or any any other offenses and it is repeatedly mentioned in the bail orders that the dictum laid down in the case of P.K.Shaji vs. State of Kerala reported in (2005) AIR SCW 5560 will be followed for violation of the condition, the petitioner



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throwing everything to the wind and is involving in repeated cases over a period of time, this is not a fit case to enlarge the petitioner on bail.

6. Accordingly, this Criminal Original Petition stands dismissed.

sd/-
13/09/2024

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/09/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS

TO

1 THE JUDICIAL MAGISTRATE,
ALANKULAM.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, TIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE,
PAPPAKUDI POLICE STATION,
TENKASI DISTRICT.

4 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.

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



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ORDER

IN

CRL OP(MD) No.15560 of 2024

Date :13/09/2024

SA/VR/SAR. /26.09.2024/4P/6C

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