



CRL OP(MD). No.16657 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 01.10.2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.16657 of 2024

Selvam @ Selvaraj

... Petitioner/Sole Accused

Vs

The Sub-Inspector of Police,
Devarkulam Police Station,
Tirunelveli District.
Crime No.329 of 2024

... Respondent/Complainant

For Petitioner : Mr.M.Perumal,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.329 of 2024 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused, who is arrested and remanded to judicial custody on
06.08.2024 for the offence punishable under Sections 296(b), 132, 109 and 351(3) of



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BNS Act, 2023 and Sections 8(c), 20(b)(ii)(A) of NDPS Act, in Crime No.329 of 2024,
on the file of the respondent police, seeks bail.

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2.The case of the prosecution is that the petitioner was in illegal possession of 20 pockets of Ganja each containing 75 milligrams. Hence, the complaint.

3.The learned Counsel for the petitioner would submit that the present case is foisted against the petitioner. He further submits that even during the apprehension of the petitioner, the respondents have willfully broken his hand and he is undergoing treatment.

4.If it is the case of the petitioner that the respondent police committed excess, then it is open for him to give a complaint and insist for appropriate action in that regard.

5.Be that as it may, as far as this petitioner is concerned, totally 24 cases are against the petitioner in which he has been convicted in nine cases and acquitted in nine cases and as on date, six cases are pending against the petitioner. Apart from the present case, in respect of five other cases which are pending, it can be seen that



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those cases involve offences under Section 392, 397 and 380 of IPC, in which jewels, television, money, liquor bottles, etc., have been recovered from the petitioner herein. When the Courts have been granting bail to the petitioner and unmindful of the fact that the petitioner repeatedly involves in offences, then this case would fall within the exception of the bail Rule and therefore, i am not inclined to enlarge the petitioner on bail

6. Accordingly, this Criminal Original Petition stands dismissed

sd/-

01/10/2024

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/10/2024

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

JBR

TO

- 1 THE SUB INSPECTOR OF POLICE,
DEVARKULAM POLICE STATION,
TIRUNELVELI DISTRICT.
- 2 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.



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

ORDER
IN
CRL OP(MD) No.16657 of 2024
Date :01/10/2024

SS/JGB/SAR- /21/10/2024/ 4P/4C

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