



CRL OP(MD). No.16920 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.16920 of 2024

Nallasamy,

... Petitioner/ Accused 1

Vs

The State of Tamil Nadu,
Rep By, The Inspector of Police,
Manamadurai Police Station,
Sivagangai District,
Cr.No.65/2014.

... Respondent/ Complainant

For Petitioner : Mr.K.Sathish Kumar,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- To enlarge the petitioner on bail in S.C.No.114/2022 on the file of the Principal District and Sessions Court, Sivagangai.

ORDER : The Court made the following order :-

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



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24.07.2024 for the offences punishable under Sections 147, 148, 341 and 302 IPC in
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crime No.65 of 2024 on the file of the respondent police, seeks bail.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondent and perused the materials available on record.

3. The petitioner was earlier granted bail but however, since he did not appear before the court, NBW was issued and he was arrested. By an order, dated 05.09.2024, this Court dismissed the prayer for bail on the ground that the charges have to be framed and atleast the eyewitnesses have to be examined. Now, this petition has been filed on the ground that the charge has been framed and that the eyewitness are no more. It is seen that the charges have been framed. The learned Additional Public Prosecutor would submit that only LW1 has since passed away LW2 and the other eyewitness are still alive and that they are yet to be examined. Therefore, I am of the view that since the petitioner has got 12 previous cases and all the cases are being serious in nature pending against him, at this crucial juncture of examining the eyewitness, the petitioner cannot be enlarged on bail for the present.



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4. Accordingly, this Criminal Original Petition stands dismissed. The prosecution shall take immediate steps to examine the eyewitness in this case .

sd/-
04/10/2024

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/10/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP
TO

1 THE PRINCIPAL DISTRICT AND SESSIONS JUDGE,
SIVAGANGAI.

2 THE OFFICER INCHARGE,
DISTRICT PRISON, RAMANATHAPURAM.

3 THE INSPECTOR OF POLICE,
MANAMADURAI POLICE STATION,
SIVAGANGAI DISTRICT.

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

ORDER
IN
CRL OP(MD) No.16920 of 2024
Date :04/10/2024

SA/MMS/SAR. /18.10.2024/3P/5C

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