



CRL OP(MD). No.20222 of 2024

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

Date : 02.12.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.20222 of 2024

Syed Ibrahim

... Petitioner/ Accused No.5

Vs

The State of Tamilnadu,
Represented by,
The Inspector of Police,
Kumbakonam East Police Station,
Thanjavur District.
(Crime No.172 of 2019)

... Respondent/ Complainant

For Petitioner : Mr.SMA.Jinnah,
Advocate.

For Respondent : Mr.S.Ravi,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS,2023.

PRAYER :-

For Bail in Crime No. 172 of 2019 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner / Accused No.5, who was arrested and remanded to judicial custody on 29.02.2024 for the alleged offence under Sections 392 of IPC @ 297, 395 and 399 of IPC and Section 28 of Arms Act, 1959, in Crime No.172 of 2019, on the file of the respondent police, seeks bail.



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2. The earlier bail petition was dismissed by this Court in Crl.OP(MD). No.15780 of 2024 by order dated 30.09.2024. This Court had considered the entire case on merits and dismissed the petition.

3. When the matter came up for hearing on 21.11.2024, this Court passed the following order:-

"When the earlier bail petition was filed by the petitioner in Crl.O.P. (MD).No.15780 of 2024, the same has been dismissed on merits by an order dated 30.09.2024.

2. The learned counsel appearing for the petitioner submitted that the petitioner has suffered incarceration from 29.02.2024 and there has been absolutely no progress in the case. Therefore, the petitioner is seeking for bail, since he is in custody for a very long time.

3. The learned Government Advocate (Criminal Side) appearing for the respondent Police submitted that there are totally six accused persons in this case and one after the other is not appearing before the Court. As a result of which, there is no progress in this case. He further submitted that the case stands posted for hearing on 27.11.2024 for appearance of all the accused persons.

4. This Court wants to ensure that some progress is shown in this case and hence would want to monitor this case.

5. Registry is directed to post this case on 02.12.2024."



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4. When the case came up before the Court below on 27.11.2024, A4 did not appear and NBW has been issued. As per the Court proceedings dated 27.11.2024, A1, A3, A4 and A6 were absent. The petitioner alone was produced through video conferencing mode since the petitioner is now confined at Puzhal Prison at Chennai.

5. In the considered view of this Court, unless and otherwise there is some improvement in this case and atleast the charges are framed, this Court cannot pass any orders at this stage considering the earlier order passed on 30.09.2024. It is made clear that if the other accused persons are adopting dilatory tactics by not appearing, the Court below shall proceed to cancel the bail and secure all those accused persons to ensure that some progress is shown in this case.

6. In view of the above, this criminal original petition is dismissed for the present.

sd/-
02/12/2024

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/12/2024

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

PAL
TO

1 THE INSPECTOR OF POLICE,
KUMBAKONAM EAST POLICE STATION,
THANJAVUR DISTRICT.



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2 THE SUPERINTENDENT
CENTRAL PRISON II, PUZHAL, CHENNAI.

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

ORDER
IN

CRL OP(MD) No.20222 of 2024

Date :02/12/2024

SS/GSV/SAR- /10/12/2024/ 4P/4C

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