



CRL OP(MD). No.333 of 2024

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

Date : 11/01/2024

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.333 of 2024

Antonyraj

... Petitioner/ Accused-3

Vs

The Inspector of Police,
Thoothukudi South Police Station,
Thoothukudi,
Crime No.478/2022.

... Respondent/ Complainant

For Petitioner : M/s.Selvam.T,
Advocate.

For Respondent : Mr.K.Sanjai Gandhi,
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For Bail in Crime No.478/2022 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioner/ 3rd accused herein, who was arrested on 04.08.2022 for the alleged offence under Sections 147, 148, 341, 294(b), 307, 302, 506(ii) and 120(b) of IPC r/w.Section 34 of IPC, in Crime No.478 of 2022 on the file of the respondent Police, seek bail.



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2. The case of the prosecution is that the defacto complainant filed a complaint stating that he is working as a parotta master under one raja, along with him one Samuvel is also working as master and one Senthil Kumar was a cashier. The accused persons namely Karkuvel, Dineshkumar used to come to their hotel frequently. On 04.08.2022 at about 10.30 p.m., the said Karkuvel along with Dinesh kumar have taken tiffin but left the hotel without paying the money. When that was questioned, they were criminally intimidated with deadly weapon. In the second occurrence, on the next day on 05.08.2022, the said Karkuvel came to the hotel along with some identified person, they caused assault with Aruval to the owner Devaraj. When the employees intervened, they have also got assaulted. They tried to escape from the place but they have been chasing by the accused and done to death and three other employees got injuries. Based upon the complaint, a case was registered.

3. The learned counsel for the petitioner submitted that the petitioner is innocent person and he was falsely implicated in this case and he has not committed any offence as alleged by the prosecution.

4. The applications filed by the petitioner seeking bail, came to be dismissed on 02.08.2023 by this Court in CrI.O.P(MD) No.14138 of 2023 and on 22.11.2023 in CrI.O.P(MD) No.20858 of 2023, considering the bad antecedent of the petitioner.



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5. The learned Additional Public Prosecutor would submit that now the trial has commenced and due to non co-operation on the side of some accused person, examination of witnesses was postponed.

6. Considering the fact that there is no change of circumstances and serious allegation made against the petitioner, this Court is not inclined to grant bail to the petitioner. If the petitioner is released on bail, there is every likelihood of hampering the trial process and tampering the witnesses.

7. Let the earlier direction be complied by the trial Court. I find no change of circumstances to entertain this petition.

8. With the above said direction, this criminal original petition is dismissed.

sd/-
11/01/2024

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/02/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TM

TO

1 THE I ADDITIONAL DISTRICT AND
SESSIONS JUDGE, THOOTHUKUDI



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2 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.

3 THE INSPECTOR OF POLICE
THOOTHUKUDI SOUTH POLICE STATION,
THOOTHUKUDI

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

ORDER
IN

CRL OP(MD) No.333 of 2024

Date :11/01/2024

SS/GS/SAR- /02/02/2024/4P/5C

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