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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **23-01-2025**

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 32530 of 2024

ILAYARAJA
S/o. Kaliyappan 245, Upparikai Street, Manojipatty,
Orathanadu Taluka, Thanjavur District.

Petitioner(s)

Vs

The Stare Rep By
INSPECTOR OF POLICE, KANKEYAM POLICE STATION, TIRUPPUR DISTRICT. (Cr.No.1325 of 2021)

Respondent(s)

For Petitioner(s):
M/s. A.Saranraj
A.Sanjeev Kumar
V.S.Madhanraj
Sadhana Chudarvizhi M.J
E.Muruganandam
N.Logeshwaran

For Respondent(s):
Mr.S.Santhosh
Government Advocate (Crl.Side)

O R D E R

Petition seeking bail in respect of S.C.No.195 of 2024 pending on the file of the learned Principal Sessions Judge, Tiruppur, in connection with Crime No.1325 of 2021 registered for the offence punishable under Sections 457, 392, 397

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and 302 of IPC @ Sections 302, 120(B), 395, 396 and 109 of IPC, is on board for consideration.

2. The incarceration of the petitioner being from 15.07.2024 pleading innocence on the part of the petitioner and false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. He also submits that even the name of the petitioner does not find place in the First Information Report, wherein, it is stated only as an unknown accused. He further submits that the petitioner is in no way connected with the alleged offence and he was implicated only on suspicion. He also submits that the investigation in this case has been completed and the case has also been taken up on the file of the learned Principal Sessions Judge, Tiruppur, in S.C.No.195 of 2024. He further submits that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. He also submits that the petitioner undertakes that he will appear before the trial Court on all hearing dates without fail and he will co-operate for speedy disposal of the trial. Hence, he prayed for grant of bail to the petitioner.

3. The case of the prosecution, as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of bail, is that the accused had committed double murder for gain. He further submits that the case has been taken up for trial in S.C.No.195 of 2024 before the learned

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Principal Sessions Judge, Tiruppur. He also submits there are specific materials to implicate the petitioner in this crime and the specific overtact against the petitioner/A7 is that he was standing outside the house of the deceased and watched the movement of the public and intimate the same to the other accused, who went inside the house for committing murder. He further submits that the petitioner was arrested under PT warrant on 15.07.2024 and apart from this present case, the petitioner, in the same modus operandi, had involved in five other cases registered at various police stations. He also submits that the respondent Police had arrested the petitioner and other accused with much difficulty, therefore, if the petitioner is released on bail at this stage, there is every possibility of him absconding and not available for trial proceedings.

4. The list of cases pending against the petitioner is reproduced hereunder:-

S.No.	***Police Station***	***Crime No.***	***Offences***	***Stage of the case***
1.	Arachalur	53 of 2020	457, 80 of IPC @ 457, 395 r/w 397 IPC	S.C.No.106 of 2024 (Pending trial)
2.	Arachalur	655 of 2020	457, 380, 302 IPC	S.C.No.107 of 2024 (Pending trial)
3.	Kangeyam	2259 of 2020	457, 392, 397, 302 IPC	S.C.No.194 of 2024 (Pending trial)
4.	Chennimalai	130 of 2022	449, 302, 307, 392, 397 of IPC	S.C.No.124 of 2024 (Pending trial)
5.	Chennimalai	222 of 2023	449, 302, 392 of IPC	S.C.No.125 of 2024 (Pending trial)

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5. Having heard the learned counsel for the petitioner, the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record including the counter filed by the respondent Police and taking note of the fact that the petitioner is a habitual offender having five previous cases of similar nature and considering the gravity and nature of the offence committed by the accused, this court is not inclined to grant bail to the petitioner.

6. Accordingly, the Criminal Original Petition stands dismissed.

23-01-2025

To
1. The INSPECTOR OF POLICE,
KANKEYAM POLICE STATION,
TIRUPPUR DISTRICT.
(Cr.No.1325 of 2021)
HAM

CRL OP NO. 32530 of 2024

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