



CRL OP(MD). No.190 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23/01/2025

PRESENT

The HONOURABLE MR. JUSTICE G.ILANGO VAN

CRL OP(MD). No.190 of 2025

Dineshkumar @ Manda Dinesh,
S/o Muthupandi, No. 2/188 Kalimangalam,
Kunnathur, Kalimangalam, Madurai.
Tamil Nadu 625 020.

... Petitioner/ Accused 5

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Sivagangai Town Police Station,
Sivagangai District.
Crime No. 279/2022.

... Respondent/Complainant

For Petitioner : Mr.N.Thamizhanban,
Advocate.

For Respondent : Mr.P.Kottaichamy,
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- To grant bail to the petitioner in S.C No. 275 of 2024 on the file of the Additional District Judge, Sivagangai and pass such or other and further orders.

ORDER : The Court made the following order :-

<https://www.mhc.tn.gov.in/judis> This is a third bail application filed by the petitioner. Earlier applications were



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dismissed by this Court on merits finding that this petitioner is involved in several cases, including three murder cases as per the list furnished by the prosecution. Apart from the three murder cases, he is involved in two cases under Section 307 IPC, three cases under Sections 324 IPC and two robbery cases under Sections 392 and 397 IPC. Apart from that, the petitioner is involved for an offence under Section 25(1-A) of the ARMS Act and yet another case of house breaking and theft. Finding bad antecedents of the petitioner, earlier applications were dismissed, but, of course, a direction was issued to the trial Court to expedite the trial process and complete the same within the time stipulated.

2. But, since the committal process is prolonged, it could not be effected within the stipulated time. Finally, committal proceedings were over and case was committed to the Principal District Judge, Sivagangai. Later made over to Additional District Judge, Sivagangai, taken in S.C.No.275 of 2024 and posted for trial.

3. On the ground of long delay in conducting of the trial process, prolonged incarceration and claiming the benefit of parity, the learned counsel for the petitioner would submit and given an undertaking that if the petitioner is released on bail, he will comply with any of the conditions which may imposed upon him and he will not involve any offence during the bail period.

4. Per contra, the learned Government Advocate (Criminal Side) would submit



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that it is the case of retaliation and if the petitioner is released on bail, there is no guarantee that another retaliation will not take effect. According to him, the life of the petitioner is under threat. Considering the antecedents, he would submit that bail should not be considered.

5. No doubt that the prolonged incarceration period is one of the grounds for considering the bail, but, at the same time, as mentioned above, the petitioner is involved in several cases. There is no guarantee that he will not involve himself either in similar offences or other nature of offence during the bail period. Moreover, there is no guarantee that he will not tamper the evidence. Even though the co-accused were released on bail, this petitioner is standing on different footing. Finally, a report was called for from the trial Court as to whether it can take up the case on priority basis considering the prolonged incarceration of the petitioner. A report dated 22.01.2025 was received in which it is stated that six months time may be required for completing the trial.

6. Considering the report submitted by the trial Court and the incarceration of the petitioner, the trial Court may complete the trial process within five months and if the trial could not be completed within the stipulated time, the petitioner is at liberty to move the trial Court once again for bail without approaching this Court.



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7. With the above observation, this Criminal Original Petition is dismissed.

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/01/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

VSM
TO

1 THE ADDITIONAL DISTRICT JUDGE,
SIVAGANGAI.

2 THE JUDICIAL MAGISTRATE NO.I,
SIVAGANGAI.

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

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

COPY TO:
THE PRINCIPAL DISTRICT JUDGE,
SIVAGANGAI.

<https://www.mhc.tn.gov.in/judis>



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ORDER
IN
CRL OP(MD) No.190 of 2025
Date :23/01/2025

SA/VR/SAR. /30.01.2025/5P/6C

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