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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/01/2025

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.1416 of 2025

Senthilmurugan

... Petitioner/ Accused No.1

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Sivagangai Town Police Station,
Sivagangai District.
In Crime No. 28/2016.

... Respondent/ Complainant

For Petitioner : Mr.Dhilipan Pandian, Advocate
for Mr.A.Mohan, Advocate

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

To enlarge the petitioner on bail in S.C No. 131 of 2024 on the file of the
Honble Principal Sessions Judge, Sivagangai in connection with Crime No. 28 of 2016

<https://www.mca.gov.in/jobs> on the file of the respondent police



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ORDER : The Court made the following order :-

The petitioner/A1, who was arrested and remanded to judicial custody on 03.12.2024 for the offences under Sections 294(b), 324 and 302 of IPC and subsequently altered into sections 294(b), 324, 341, 302 r/w Section 34 of IPC in in S.C No. 131 of 2024 on the file of the Principal Sessions Judge, Sivagangai in Crime No.28 of 2016 on the file of the respondent police, seeks bail.

2.In the instant case, the petitioner has been arrayed as A1 and the case was pending in P.R.C.No.16 of 2016 before the learned Judicial Magistrate No.I, Sivagangai. Since the petitioner did not appear, a nonailable warrant came to be issued on 18.05.2023. There are totally four accused persons in this case. Since the petitioner was not able to be secured, the case was split insofar as the other three accused persons are concerned, it was committed to the file of the learned Principal Sessions Judge, Sivagangai and was pending in S.C.No.131 of 2024. The respondent police after a long search, were able to identify the petitioner at Andaman and Nicobar Islands on 28.11.2024 and he was secured and produced before the Court on 03.12.2024 and the trial Court remanded the petitioner to judicial custody.



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3.The learned Additional Public Prosecutor submitted that since the petitioner has also been secured, the case of the petitioner has also been merged with the main case in S.C.No.131 of 2024. He further submitted that A2 died in this case and the charges abated and subsequently, A4 is absconding and non bailable warrant has been issued. He also brought to the notice of this Court that there are 11 previous cases against the petitioner, out of which, one of the case is a murder case.

4.Taking into consideration the facts and circumstances of the case and considering the fact that the non bailable warrant was pending for a very long time against the petitioner and he was able to be secured after thorough search at Andaman and Nicobar Islands and also considering the fact that the petitioner has 11 previous cases against him and now yet another accused person has absconded, this Court is not inclined to enlarge the petitioner on bail at this stage.

5.There must be some progress made in the case in terms of framing of charges and fixing dates for the examination of the prosecution witnesses. At that stage, the petitioner can revive his claim for bail.



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

Sd/-
27/01/2025

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/02/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai -625 023

LR
TO

- 1 THE PRINCIPAL SESSIONS JUDGE,
SIVAGANGAI.
- 2 THE OFFICER INCHARGE,
DISTRICT JAIL, VIRUDHUNAGAR.
- 3 THE INSPECTOR OF POLICE,
SIVAGANGAI TOWN POLICE STATION,
SIVAGANGAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN
CRL OP(MD) No.1416 of 2025
Date :27/01/2025

ES/SKN/SAR /12.02.2025/ 4P/5 C

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