



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

Monday, the Twenty Fifth day of July Two Thousand Sixteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.12646 of 2016

T.MANIKANDAN

... PETITIONER/ACCUSED NO.4

Vs

STATE REP BY THE INSPECTOR OF POLICE,
MUNNEERPALLAM POLICE STATION, MUNNEERPALLAM,
TIRUNELVELI DISTRICT. (CRIME NO.258 OF 2010)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S S.SUNDARA PANDIAN Advocate

For Respondent : MR.P.KANNITHEVAN Govt. Advocate (Crl. Side)

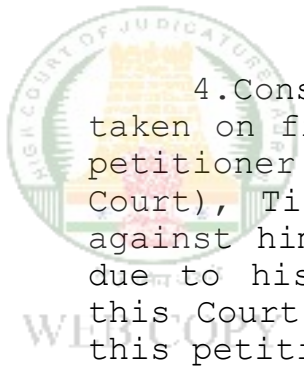
PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner is arrayed as accused No.4, who was arrested and remanded to judicial custody on 10.07.2016 for the alleged offence punishable under Sections 147, 294(b), 341, 323 and 506(ii) IPC read with Section 3(1)(X) of SC/ST Act, in S.C.No.21 of 2011 on the file of the Second Additional District Court (PCR Court), Tirunelveli and hence, seeks bail.

2.The learned counsel for the petitioner submitted that due non-appearance before the learned Second Additional District Judge (PCR Court), Tirunelveli on 03.08.2015, non-bailable warrant was issued against the petitioner and thereafter he was arrested and remanded to judicial custody on 10.07.2016. According to the petitioner, his wife was expired and due to that he did not attend the Court on that day. The petitioner is in judicial custody from 10.07.2016 and prayed for enlarge the petitioner on bail.

3.The learned Government Advocate(Crl.side) submitted that the petitioner was already granted bail and subsequently he jumped out of bail and due to his non-appearance before the learned Second Additional District Judge (PCR Court), Tirunelveli on 03.08.2015, non-bailable warrant has been issued against him and thereafter he was secured only on 10.07.2016. Investigation has been completed and charge sheet has been filed and taken on file in S.C.No.21 of 2011. Due to non-appearance of the petitioner, the trial could not be proceeded with.



4.Considering the fact that charge sheet has been filed and taken on file in S.C.No.21 of 2011 and due to non-appearance of the petitioner before the learned Second Additional District Judge (PCR Court), Tirunelveli on 03.08.2015, non-bailable warrant was issued against him and the petitioner was secured only after 11 months and due to his non-appearance the trial could not be proceeded with, this Court is not inclined to grant bail to the petitioner. Hence, this petition is dismissed.

sd/-
25/07/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE II ADDITIONAL DISTRICT JUDGE (PCR), TIRUNELVELI
- 2 THE INSPECTOR OF POLICE, MUNNEERPALLAM POLICE STATION,
MUNNEERPALLAM, TIRUNELVELI DISTRICT.
- 3 THE SUPERINTENDENT, CENTRAL PRISON, PALAYAMKOTTAI
- 4 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP (MD) No.12646 of 2016
Date :25/07/2016

AA/GSV-PM/SAR-I/28.07.2016/2p-5c